



Town of Lauderdale By-The-Sea, Florida

Comprehensive Plan

Adopted March 22, 2011

Prepared by:



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Town of Lauderdale-By-The-Sea, Florida

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COMPREHENSIVE PLAN
ADOPTED MARCH 22, 2011

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I. Introduction

General

The 2010 Comprehensive Plan Amendments incorporate revisions to comply with Broward County Planning Council's Recertification of the Future Land Use Element, revisions relative to Greenhouse Gas Emissions, adoption of a Public School Facility Element and several minor text amendments to provide consistency with State and regional policies.

The Comprehensive Plan for the Town of Lauderdale-By-The-Sea has been prepared relative to the State Growth Management Act and Rule 9J-5. It is designed to provide a guide for the future physical, economic, and social development of the Town.

Plan Preparation and Funding

The Comprehensive Plan for the Town of Lauderdale-By-The-Sea was prepared by the consulting firm of Walter H. Keller, Inc., located in Coral Springs, Florida. The funding of the planning process and the preparation of the Comprehensive Plan was funded entirely by the Town.

Plan Content and Format

This Comprehensive Plan contains all the required Plan Elements specified by the Florida Department of Community Affairs. Within the adopted Plan, the following material is provided:

Goals, Objectives and Policies of Each Required Element

Future Land Use Map

Natural Resource Map Series

Land Use Plan Implementation

Future Transportation Map

Capital Improvements Implementation

Requirements for Monitoring and Reporting

In addition to this adopted Plan, a separate document of supporting information is available. This supporting documentation provides the framework for the Goals, Objectives and Policies. It further provides the data inventory and analysis requirements of the various Plan Elements.

II. Goals, Objectives and Policies

The Local Government Comprehensive Planning and Land Development Regulation Act requires the Town to establish general goals for the Comprehensive Plan. The Act further requires a listing of specific attainable objectives to assist and ensure that the Town will make positive efforts towards the adopted goals. Policies provide the basis for acting on the Plan's objectives and goals.

The Town's Comprehensive Plan combines all goal statements, objectives and implementation policies from each element into one section. The major reason for this grouping is to ensure that the following statements are internally consistent, and to clearly identify the long-range wishes and desires of the Town.

The following pages include statements relative to each required Plan Element. For example, on a specific page, the Land Use Goal is presented. This goal is then followed by several objectives. Each objective is provided with a set of policies. This process is repeated for each of the Town's required Plan Elements.

Unless noted otherwise, the Town Commission is responsible for implementing the goals, objectives and policies.

Future Land Use

Goal 1.0

To maintain a coastal, resort oriented residential community characterized by a land use mix which reflects a balancing of year round, seasonal and tourist population needs with minimal disruption to natural systems that discourages urban sprawl, is energy efficient and reduces greenhouse gas emissions..

Objective 1.1

To provide and maintain the Level of Service Standards for all community services.

Policy 1.1.1 Adopt and maintain community services based on the Level of Service Standards contained in the various Elements of the Town's Comprehensive Plan.

Policy 1.1.2 Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards.

Policy 1.1.3 Require all proposals for development and redevelopment to meet drainage requirements for on-site water retention, provide safe and convenient on-site traffic flow and provide required on-site parking.

Policy 1.1.4 Adopt Broward County's Transportation Concurrency Management System to mitigate the traffic impacts of development. Require the Transit Oriented Concurrency Fees to be paid at the time of building permit application.

Objective 1.2.

To maintain the Town's year round residential character, with particular emphasis on preserving the single family areas.

Policy 1.2.1 Perpetuate the existing pattern of segregating single family areas from higher density multi-family and tourist oriented land uses.

Policy 1.2.2 Continue to provide for year round multi-family residential land use designations.

Policy 1.2.3 Approve density increases or mixed use designations only after determining the proposal will have minimal negative impacts to existing residential areas and are consistent with the Comprehensive Plan and the Town Charter.

Policy 1.2.4 Require the provision of decorative structural or vegetative buffers between business and residential uses.

Policy 1.2.5 Require decorative structural or vegetative buffers between mixed density residential land uses.

Policy 1.2.6 Support the maintenance of non-local traffic on the Town's existing arterial roadway system.

Objective 1.3

To provide for local year round, seasonal and tourist resident needs by maintaining business land uses.

Policy 1.3.1 Support ongoing efforts to maintain and improve existing local retail or other business establishments.

Policy 1.3.2 Continue to evaluate and adopt revisions to planning or regulatory means to improve the appearance of the Town's business areas. Efforts could include local signage regulations, provision or requirement for increased property landscaping and open space.

Objective 1.4

To develop or modify existing local land development regulations to be consistent with the Town's adopted Comprehensive Plan.

Policy 1.4.1 Where necessary, modify all zoning and subdivision regulations to be consistent with the Comprehensive Plan.

Policy 1.4.2 Encourage citizen participation in the development or modification of land use development regulations.

Policy 1.4.3 Subdivision regulations shall provide for both the timely completion and regular maintenance of all required capital improvements and amenities.

Policy 1.4.4 Develop and implement land use programs to encourage the elimination or reduction of existing and the prevention of future incompatible land uses and prevent future incompatible land uses.

Policy 1.4.5 The compatibility of existing and future land uses shall be a primary consideration in the review and approval of amendments to the Town's Land Use Plan.

Policy 1.4.6 Establish land development regulations that employ Crime Prevention Through Environmental Design (CPTED) principles to reduce the incidence of crime and protect the safety and welfare of all Town residents.

Objective 1.5

To provide for the coordinated redevelopment of the Town.

Policy 1.5.1 Continue to provide for on-going studies relative to the Town's redevelopment efforts.

Policy 1.5.2 Within the Town, maintain the Town's low rise, pedestrian scale in the review of future development and redevelopment considerations consistent with the Town Charter.

Policy 1.5.3 Encourage citizen participation in any redevelopment study.

Policy 1.5.4 Utilize the Flexibility provisions of the Broward County Land Use Plan to develop zoning overlays for proposed redevelopment areas. Initiate a review of the Hospitality Zoning Overlay District, the Town Village Overlay District and the Marina Village Overlay District and identify needed changes and or revisions.

Policy 1.5.5 To allow both the public and private sectors to respond to changing conditions and permit the appropriate location of neighborhood commercial uses within or adjacent to established residential neighborhoods, the Town's Land Use Plan shall permit up to 5% of the area designated residential within a Flexibility Zone to be used for neighborhood commercial uses subject to Broward County Flexibility Rules and the restrictions identified within the Residential Permitted Uses subsection of the Plan

Implementation Requirements Section of the Broward County Land Use Plan.

Policy 1.5.6 Development permits granted by the Town shall be consistent with the Development Review Requirements subsection of the Plan Implementation Requirements Section of this plan.

Policy 1.5.7 The Town shall adopt land development regulations that require platting at least in those circumstances where the Plan Implementation Requirements section of this plan requires platting; and such regulations may establish additional standards, procedures, and requirements as may be necessary to regulate and control the platting of lands within Town boundaries.

Policy 1.5.8 The Town shall consider the individual and cumulative impacts of Land Use Plan Amendments on existing and planned public elementary and secondary education facilities.

Policy 1.5.9 Priority shall be given to water-dependent uses such as marinas and public access to waterways, in decisions affecting waterfront property.

Policy 1.5.10 Facilities which service live-aboard boats shall provide for sewage pumpage facilities and/or other improvements which promote environmental compatibility with marine resources consistent with Town, State and Federal law.

Policy 1.5.11 The Land Use Plan and Plan Amendments of the Town shall successfully complete the Chapter 163, Florida Statutes, Local Comprehensive Plan Review Process prior to their certification or recertification by the Broward County Planning Council.

Policy 1.5.12 Commercial land uses shall be limited to 2 stories for 25 foot lots and 3 stories for 50 foot lots.

Policy 1.5.13 Mixed use land uses shall not exceed a residential density of 25 dwelling units per acre. The percentage of commercial and office land uses may vary. The maximum height of mixed uses shall be consistent with the Town's Charter.

Policy 1.5.14 Coordinate future land use amendments with the respective water supply provider (Fort Lauderdale south of the IBA and Pompano Beach in the IBA) to ensure the availability of water supply and water supply facilities.

Policy 1.5.15 The Town's utilization of the Broward County Land Use Plan "Flexibility Rules," as per County Policies 1.01.03, 1.01.04, 1.02.01, 1.02.02, 2.04.04, 2.04.05, 3.01.06 and 3.02.02, shall be subject to a determination by the Broward County Commission that such allocation is compatible with adjacent land uses, and that impacts on public school facilities have been adequately considered, in the following instances:

A. Allocations to sites east of the Intracoastal Waterway which impact access to public beaches.

B. Allocations to sites which are contiguous to a municipality upon request of the contiguous municipality.

C. Allocations to sites which are adjacent to an Environmentally Sensitive Land, as defined within the Broward County Comprehensive Plan, or a Broward County or regional park, including sites which are attached, located within 500 feet, or separated only by streets and highways, canals and rivers or easements, upon request of the Broward County Commission.

Additional rules and procedures for the processing of County Commission compatibility reviews shall be included in the County's administrative rules.

Objective 1.6

To improve the overall physical appearance of the Town's business and seasonal residential areas.

Policy 1.6.1 Within three years the Town will initiate a Study to develop a set of community development guidelines which, at a minimum, govern signage, color, and facade treatments.

Policy 1.6.2 The Town will encourage citizen participation in the study to develop community design guidelines.

Objective 1.7

Incorporate the relevant Objectives and Policies of the Broward County Land Use Plan into the Town's Land Use Element to facilitate consistency and certification of the Town's Comprehensive Plan.

Policy 1.7.1 The Future Land Use Element includes by reference the following other Comprehensive Plan Objectives and Policies: Housing (2.3.2), Recreation and Open Space (3.1, 3.1.1 - 3.1.4, 3.3 and 3.3.1 - 3.3.6), Traffic Circulation (4.2, 4.2.1, 4.2.4, 4.2.6, 4.4, 4.4.1, 4.5, 4.5.1, 4.9 and 4.9.1 - 4.9.2), Coastal Management (5.1, 5.1.1 - 5.1.6, 5.2, 5.2.1 - 5.2.3, 5.3, 5.4.2, 5.6.3, 5.7, 5.7.2), Conservation (6.2, 6.2.1 - 6.2.3, 6.2.4, 6.3, 6.3.1, 6.3.4 and 6.3.5), Infrastructure (7a.1, 7b.1, 7b.1.1, 7c.1, 7c.1.1, 7d.1, 7d.1.1, 7d.1.2, 7e.1, 7e.1.1, 7e.1.2, 7e.1.3, 7e.1.4, 7e.4, 7e.6, and 7e.6.1), Capital Improvement (8.1.1, 8.1.2, 8.2.1, 8.3 and 8.3.1 - 8.3.3), Intergovernmental Coordination (9.1.1, 9.1.4 and 9.2.1) and Economic/Redevelopment (10.2, 10.3, 10.3.1 - 10.3.3, 10.4.1, 10.5, 10.5.1 - 10.5.3, 10.6.1 and 10.6.2)

Objective 1.8

Identify, conserve and protect the Town's historic resources.

Policy 1.8.1 The Town will seek funding to conduct an archaeological and historic survey. If funding is obtained, this survey will be completed within one year of receiving funding.

Policy 1.8.2 Review and investigate revising the Town's Land Development Code to promote the conservation and preservation of historic resources in coordination with state and federal law.

Objective 1.9

Coordinate with the Broward County School Board the Town's future land uses with the availability of public elementary and secondary education facilities.

Policy 1.9.1 The Town shall consider the individual and cumulative impacts of land use plan amendments on existing and planned public elementary and secondary education facilities.

Policy 1.9.2 The Town shall coordinate with the efforts of the School Board of Broward County to address school overcrowding and meet future school needs.

Policy 1.9.3 The Town, in coordination with the School Board of Broward County, shall assist in the annual update of long range planning of public elementary and secondary school sites and facilities necessary to meet the demands of the Town's projected population and to determine if public elementary and secondary schools concurrency requirements shall be met in accordance with Chapter 163.3180 of the Florida Statutes.

Policy 1.9.4 The Town, in coordination with the School Board of Broward County, shall continue to utilize Broward County's School adequacy review for platting and replatting residential development to provide for the educational needs of the future residents.

Policy 1.9.5 The Town shall continue to coordinate with the School Board of Broward County for collaborative planning and decision making on population projections and public school siting to accomplish coordination between the Town's adopted Comprehensive Plan and the long range plans of the School Board.

Objective 1.10

The Town will promote “Smart Growth” type initiatives providing for energy efficient development and land use patterns which also account for existing and future electrical power generation and transmission systems in an effort to discourage urban sprawl and reduce greenhouse gasses.

Policy 1.10.01 The Town shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

Policy 1.10.02 The Town will encourage and implement the use of compact building design principles which preserve more open space, contain mixed use, support multi-modal transportation options, make public transportation viable, reduce infrastructure costs and take advantage of recycled building materials.

Policy 1.10.03 The Town will encourage and implement energy conservation and the reduction of greenhouse gasses by encouraging land developers and builders to implement the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) which generally include the following:

- Use of compact building design; energy efficient street lighting; energy efficient automobiles/transit;
- Priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines mass transit or green space;
- Use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens, bioswales and cisterns;
- Use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air- conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids. and/or use of wind/solar/natural gas energy;

- Use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials; and,
- Use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.

Policy 1.10.04 Modify the Land Development Regulations within one year of Plan adoption to incorporate Smart Growth type initiatives from Policies 1.10.01 – 1.10.03 in the review and processing of site plans and development permits.

Housing

Goal 2.0

To ensure that structurally safe and adequate residential shelter is available to all residents and visitors of the Town using energy efficient design and construction principles and renewable energy resources..

Objective 2.1

Maintain the overall high quality of the existing single family and multi-family housing stock.

Policy 2.1.1 Continue to enforce, and where appropriate, improve upon the Town's minimum housing code regulations.

Policy 2.1.2 Ensure through development review practices that all new and re-development activities conform to the Florida Building Code.

Policy 2.1.3 Modify the Town Code to require the use of storm protection devices on all year-round oceanfront residences.

Objective 2.2

To provide for the continued sound structural integrity of the Town's existing residential structures.

Policy 2.2.1 Conduct periodic inventories of area housing conditions.

Policy 2.2.2 Implement an "on-request" program of housing inspection for adequacy of basic shelter elements.

Policy 2.2.3 Continue to implement a program to identify "sub-standard" housing units, and enforce minimum housing structural and aesthetic standards.

Policy 2.2.4 Continue to require the annual licensing of rental units to ensure compliance with the Town's Comprehensive Plan and Zoning Regulations.

Objective 2.3

Provide for redevelopment of selected multi-family and tourist residential areas in a manner sensitive to existing residents and the Town's historical resources.

Policy 2.3.1 Support redevelopment proposals, which maintain the overall scale of the Town through proper height and bulk designs.

Policy 2.3.2 Require appropriate perimeter buffers or landscape treatments in all residential development proposals.

Policy 2.3.3 Modify local subdivision regulations so as to preclude back-out parking on the Town's arterial or collector roadways.

Policy 2.3.4 Require all redevelopment proposals provide a summary of impacts on adjacent local historical resources.

Policy 2.3.5 The Town shall map and maintain a current list of historically, architecturally and archaeologically significant properties and address the protection of these historic resources.

Policy 2.3.6 The Town shall consider the impacts of Land Use Plan Amendments on historic resources.

Objective 2.4

Support all local, regional and statewide Broward County efforts to provide and preserve affordable housing and siting of group homes and foster care facilities.

Policy 2.4.1 Adopt resolutions and enter into interlocal agreements which support Broward County affordable housing programs.

Policy 2.4.2 Participate in housing seminars and conferences.

Policy 2.4.3 Modify the existing zoning ordinance to allow group homes and foster care facilities in the RM-25 Zoning District.

Policy 2.4.4 Amend the Zoning regulations to provide criteria for siting group homes and foster care facilities consistent with F.S. 419 as defined and described as special residential facilities in the Plan Implementation Section of this Comprehensive Plan.

Policy 2.4.5 Review existing regulatory procedures which establish the procedures, applications, permits and fees required for constructing or modifying housing units and eliminate those procedures, applications, permits and fees which unnecessarily add to the cost of housing.

Policy 2.4.6 Utilize the Town's Code Compliance Department to prevent the deterioration of the Town's housing stock including affordable housing.

Policy 2.4.7 Utilize the Town's Code Compliance Department to ensure the preservation and maintenance of the existing affordable multifamily dwelling units in the Town.

Policy 2.4.8 The Town's utilization of the Broward County Land Use Plan "Flexibility Rules," as per Policies 1.01.03, 1.01.04, 1.02.01, 1.02.02, 2.04.04, 2.04.05, 3.01.06 and 3.02.02, shall be subject to a determination by the Broward County Commission that such allocation is compatible with adjacent land uses, and that impacts on public school facilities have been adequately considered. Allocations of "flexibility" for "affordable housing" or "special residential facilities" or "urban infill, urban redevelopment and downtown revitalization areas," as defined within the Broward County Land Use Plan shall be exempt from this Policy, unless the subject site is located adjacent to a Broward County or regional park, or an Environmentally Sensitive Land, as defined within the Broward County Comprehensive Plan.

Policy 2.4.9 Decisions regarding proposed development shall consider the ability of the proposal to provide affordable housing and shall treat affordable housing as infrastructure to the extent that the cost of affordable housing is factored into proposed developments that create the need for affordable housing. Tools such as restrictive covenants to require affordable housing could be utilized to strengthen development proposals particularly when the development's impacts on infrastructure and services, including school capacity, are of concern.

Policy 2.4.10 Encourage employers to offer assistance in meeting the housing needs of employees who are cost burdened.

Policy 2.4.11 Support region-wide programs, in cooperation with local governments and the banking industry, to provide mortgages to very low-income households at reduced interest rates.

Policy 2.4.12 Promote partnerships between the public and private sector to create opportunities to live and work in the same community.

Policy 2.4.13 Encourage both ownership and rental opportunities for all types of housing.

Policy 2.4.14 Incorporate tables from the Florida Housing Data Clearinghouse and the Town's 2006 Evaluation and Appraisal Report into the Support Document of the Housing Element.

Objective 2.5

The Town shall encourage energy efficient design and construction in the creation of housing, including the use of renewable energy resources.

Policy 2.5.1 The Town shall promote new housing projects which contain compact building design principles, mixed use, medium to medium high densities, promote pedestrian activity and support multi-modal transportation options.

Policy 2.5.2 The Town shall promote housing projects which use renewable energy resources in construction, reduce public infrastructure costs and reduce the impacts on natural resources.

Policy 2.5.3 The Town shall monitor efforts and findings from Broward County's Climate Change Task Force to identify greenhouse reduction strategies applicable to the Town of Lauderdale by the Sea.

Policy 2.5.4 The Town will encourage developers and builders to comply with the Florida Green Building Coalition, US Green Building Council Leadership in Energy and Environmental Design (LEED) which generally include the following:

- Use of compact building design; energy efficient street lighting; energy efficient automobiles/transit;
- Priority use of small properties in urban areas; use of "brownfield" lands that can be cleaned; use of lands close to sewer and power lines mass transit or green space;
- Use of very efficient clothes washers; Low-flow toilets or waterless urinals; use of reclaimed water; innovative irrigation or drought tolerant plants; use of rain gardens, bioswales and cisterns;
- Use of light-colored exterior walls; buildings shaded on the east and west by trees; properly sized air- conditioners; use of ceiling fans; energy efficient appliances and indoor lighting; efficient well-pumping; use of alternate electrical grids. and/or use of wind/solar/natural gas energy;
- Use of building materials with recycled content; eco-friendly insulation; lumber from sustainable sources; or locally produced materials; and,
- Use of detached garage; carbon monoxide alarm; central dehumidification systems; energy efficient bathroom exhaust fans with timer; humidistat whole house filtration.

Policy 2.5.5 The Town shall coordinate with County, State and other agencies to provide educational programs on the benefits of Smart Growth.

Policy 2.5.6 Modify the Land Development Regulations within one year of Plan adoption to incorporate Smart Growth type initiatives from Policies 2.5.1 – 2.5.4 in the review and processing of site plans and development permits.

Recreation and Open Space

Goal 3.0

To satisfy the recreational needs of Town residents through the provision of various recreation facilities and opportunities.

Objective 3.1

Provide for public access to and interaction with the Town's beach area.

Policy 3.1.1 Maintain and upgrade the Town's existing beach access points and adjacent vehicular parking areas.

Policy 3.1.2 Modify local regulatory codes or other means to secure beach access strips when reviewing oceanfront development proposals.

Policy 3.1.3 Encourage oceanfront development designs which preserve views to the beach and shoreline area.

Policy 3.1.4 Support the development of water-dependent uses that include public access to waterways and beaches, in decisions affecting waterfront and beachfront properties.

Policy 3.1.5 Continue to seek funding support for upgrading beach access locations through grants and other funding opportunities.

Policy 3.1.6 Complete the Commercial Boulevard Beach Pavilion in accordance with Broward County funding requirements.

Policy 3.1.7 Continue to seek additional beach access locations in the northern portion of the Town.

Objective 3.2

Provide for private sector opportunity to aid in the development of quality recreational facilities.

Policy 3.2.1 Promote and support residential development plans, which include on-site recreational amenities.

Policy 3.2.2 If deemed satisfactory, allow private efforts to provide additional improvements or facilities to the Town's major park or Public Beach Area.

Objective 3.3

Provide local recreational facilities under the following Level of Service Standard: 3 acres per thousand population.

Policy 3.3.1 Provide a Level of Service Standard for recreation of three (3) acres of public and private recreation and open space for each one thousand Town residents.

Policy 3.3.2 Identify and maintain improvement plans to upgrade existing park facilities throughout the Town.

Policy 3.3.3 Enforce the vegetation and open space provisions of the Town's subdivision regulations relative to beach and dune preservation.

Policy 3.3.4 Support the efforts of Broward County and the State of Florida to develop and maintain a system of regional and state parks, which benefit Town residents.

Policy 3.3.5 Enforce the local shoreline benchmark for potential future beach renourishment; coordinate with other jurisdictions and agencies on programs for periodic beach renourishment.

Policy 3.3.6 Amend the Land Development Regulations to provide specific open space definitions and standards.

Transportation Element

Goal 4.0

To maintain a local transportation system that serves the needs of the community in a safe, efficient, cost effective and aesthetically pleasing manner that promotes the reduction of greenhouse gas emissions..

Objective 4.1

Reduce the annual percentage rate of accidents occurring on Town roadways during the planning period.

Policy 4.1.1 Maintain high profile local enforcement of all vehicular and non-vehicular driving laws.

Policy 4.1.2 Continue to maintain local accident records to identify problem locations.

Policy 4.1.3 Work with FDOT to identify acceptable solutions to problem areas and to ensure maintenance funding on State Road A1A, Commercial Boulevard and the Intracoastal Waterway Bridge.

Policy 4.1.4 Require unobstructed sight lines and non-obtrusive landscape plantings at driveway and street intersections.

Policy 4.1.5 Budget or secure agency funding for safety related activities on an "as-needed" basis.

Policy 4.1.6 Except for schools, regional and community facilities shall be located close to major traffic corridors and mass transit routes adequate to carry the volume of traffic generated by such facilities.

Policy 4.1.7 Protect the safety of motorists, bicyclists and pedestrians by controlling the connections of driveways and access points to roads using, where possible, the FDOT Access Management Guidelines on State roadways.

Objective 4.2

Adopt level of service standards for Town roadways.

Policy 4.2.1 Adopt the Florida Department of Transportation LOS Standard of LOS “E” for Interstate 95 (an SIS/FIHS Roadway). For non-SIS/FIHS arterial facilities (i.e., SR A1A, Commercial Boulevard) the listing below provides the Peak Hour Two Way Maximum Service Volume* within the Northeast and Central Transportation Management Districts:

Two Lane Arterials	2,555
Four Lane Arterials	5,442
Six Lane Arterials	8,190
Eight Lane Arterials	10,605

* The Maximum Service Volumes are calculated from “Generalized Peak Hour Two-Way Volumes for Florida’s Urbanized Areas” published by the Florida Department of Transportation as 75% above the volumes for Class II State Two-Way Arterials for Level of Service D.

Policy 4.2.2 The Town will incorporate the Broward County Transportation Concurrency Management System and will only issue development permits for projects which pay the Transit Fees prior to building permit issuance.

Within Northeast and Central Transportation Concurrency Management Districts, the transportation LOS standards, for the purpose of issuing development orders and permits, are to achieve and maintain the following by FY 2013:

Increase number of bus shelters by 25 percent from FY 2009 to FY 2013. Traffic volumes on arterial roadways in each District shall remain less than the maximum service volumes as displayed in Policy 02.02.05. These volumes do not apply to Strategic Intermodal System (SIS) and Transportation Regional Incentive Program-funded roadway facilities and cannot be used in a manner that would result in interference with mainline operations on SIS roadway corridors.

For the Northeast District - Maintain headways of 30 minutes or less on 90% of routes, establish and maintain service at one or more neighborhood transit centers. Reduce traffic signal communication failures by 50% by FY 2013. Increase peak-hour weekday fixed-route transit ridership by 17% from FY 2009 to FY 2013.

For the Central District - Maintain headways of 30 minutes or less on 80% of routes, establish and maintain service at one or more neighborhood transit centers. Reduce traffic signal communication failures by 50% by FY 2013. Increase peak-hour weekday fixed-route transit ridership by 19% from FY 2009 to FY 2013. Maintain the current number of community bus routes (24) through 2013.

Policy 4.2.3 Adopt a peak season/peak hour LOS “C” standard for Town Collector roadways (formerly included in Policy 4.2.1).

Policy 4.2.4 Initiate a study to identify the appropriate right of way requirement for a two-way SR A1A and initiate an amendment of the Broward County Trafficways Plan to remove the one-way pair designation for SR A1A in the southern portion of the Town. Amend the Plan to be consistent with the Broward County MPO Year 2030 Long Range Transportation Plan which provides for a three (3) lane SR A1A and a four (4) lane divided Commercial Boulevard. (formerly Policy 4.2.2)

Policy 4.2.5 The Town shall utilize the highway capacity methodology endorsed by the Broward County Metropolitan Planning Organization and approved by the Broward County Board of County Commissioners to determine the capacities and level of service on the regional roadway network. (formerly Policy 4.2.3)

Objective 4.3

Minimize through traffic and traffic speeds in residential areas.

Policy 4.3.1 Implement a traffic calming program to reduce “cut-through” traffic and speeds in neighborhood areas.

Policy 4.3.2 Utilize a variety of techniques to calm traffic volumes in neighborhoods including traffic control changes, traffic calming measures and enforcement.

Policy 4.3.3 Monitor traffic speeds in residential areas and utilize selective enforcement at problem locations.

Policy 4.3.4 Review, and revise as appropriate, the Town’s existing noise ordinance to reduce loud vehicle noise impacts in the Town’s residential neighborhoods.

Objective 4.4

Provide for safe and efficient on-site traffic circulation and parking, including provisions for handicapped users.

Policy 4.4.1 Establish on-site traffic circulation design review criteria to include provisions for proper access design and parking lay-out.

Policy 4.4.2 Prohibit back out parking on SR A1A and Commercial Boulevard.

Policy 4.4.3 Require all sidewalk construction to provide handicapped ramps.

Policy 4.4.4 The Town, in coordination with the Broward County Emergency Management Division, will plan for the timely evacuation of the Town in the event of a Hurricane. Timely evacuation will mean a clearance time of approximately eight (8) hours. Evacuation orders are issued by the Broward County Administrator and will be issued twenty-one hours prior to expected landfall for Plan A (Categories 1 and 2 Storms) and twenty-six hours prior to landfall for Plan B (Category 3 Storm) and Plan C (Categories 4 and 5 Storms).

Policy 4.4.5 The Town, in coordination with the Broward County Emergency Management Division and the Mass Transit Division, will plan for transit service to provide timely evacuation of the Town in the event of a hurricane. Timely evacuation means operations will begin four (4) hours after the County Administrator issues an evacuation order and will be in effect 6.5 hours for Plan A (Categories 1 and 2 Storms) and 12 hours for Plan B (Category 3 Storm) and Plan C (Categories 4 and 5 Storms).

Objective 4.5

Provide for existing and future right-of-way needs and developer responsibility for project related transportation improvements.

Policy 4.5.1 As a condition of project development approval, secure existing and future right-of-way conveyances or easements for SR A1A and Commercial Boulevard consistent with the Broward County Trafficways Plan.

Policy 4.5.2 Require that developers construct project-related transportation improvements such as median or roadside turn lanes where adequate rights-of-way exists.

Policy 4.5.3 Continue to promote ridership and utilization of the Lauderdale-By-The-Sea Community Shuttle.

Policy 4.5.4 The Town shall modify the Land Development Regulations within one year of adoption to provide set backs from Broward County Trafficway's Plan roadways when issuing development orders while providing an administrative relief process to ensure such set back does not deny all beneficial use of the property proposed for development.

Objective 4.6

Maximize existing roadway performance and maintain the Town's roadway LOS standards through intergovernmental transportation management strategies.

Policy 4.6.1 Re-evaluate every three (3) years the bridge openings at Commercial Boulevard and if relevant, request Broward County, FDOT and the Coast Guard to limit bridge openings.

Policy 4.6.2 Work with Broward County and FDOT to consider low cost solutions to problem intersection operation.

Policy 4.6.3 Request Broward County and or the State to provide turn lanes and bus bays at designated locations along SR A1A and Commercial Boulevard.

Policy 4.6.4 Provide funding in the Town's annual budget for management and maintenance of the Terra Mar Bridge.

Objective 4.7

Improve non-vehicular transportation modes such as mass transit, pedestrian and bicycle circulation in the Town thereby promoting the reduction of greenhouse gas emissions.

Policy 4.7.1 Investigate providing bicycle routes in conjunction with traffic and pedestrian signal locations.

Policy 4.7.2 Establish a program to identify locations where sidewalks are required within the single family residential area.

Policy 4.7.3 Improve street signage relative to bicycles and pedestrian activities.

Policy 4.7.4 Seek Broward County and State funding to provide bus turn out bays where feasible.

Policy 4.7.5 Participate in bicycle planning programs of the Broward MPO and District IV of the FDOT to provide bike lanes and include consideration of bicycle and pedestrian ways in transportation planning activities.

Policy 4.7.6 Where feasible, include the construction of sidewalks and bikeways in all improvement projects; include ample signage and/or pedestrian signalization to designate and promote preferred non-vehicle routes to promote the reduction of greenhouse gas emissions.

Policy 4.7.7 Investigate the feasibility of installing bicycle racks at Town parks, beach portals, bus stops, commercial establishments and tourist centers to promote the reduction of greenhouse gas emissions.

Policy 4.7.8 Support Broward County's implementation of the potential SR A1A Greenway including a multipurpose path, bike lanes and sidewalks.

Policy 4.7.9 Coordinate with the Broward County Mass Transit Division, the Broward County Metropolitan Planning Organization and the Florida Department of Transportation to provide a more transit friendly, pedestrian and pleasing environment of bus stops, shelters and wider sidewalks within the Town to promote the reduction of greenhouse gas emissions.

Policy 4.7.10 Incorporate pedestrian improvements into the 2011 update of the Town's Master Plan to encourage increased walking and reduce automobile vehicular miles of travel.

Policy 4.7.11 Identify cost effective capital improvements such as bicycle racks/lockers, kiosks, sidewalk improvements, signage, etc., that improve pedestrian, multi-modal and transit ridership in the Town's 2012 Five Year Capital Improvement Program thereby reducing greenhouse gases.

Objective 4.8

Provide roadway facilities that are visually pleasing.

Policy 4.8.1 Develop a local program to implement gateway treatments at major street entrances to the Town.

Policy 4.8.2 Develop a local program to install landscaping along the Town's public rights-of-way.

Policy 4.8.3 Establish a program for roadway, landscaping, pedestrian, lighting, drainage and utility improvements to El Mar Drive.

Policy 4.8.4 Continue to implement a program to reduce the amount of paved swales within the residential neighborhoods.

Objective 4.9

Coordinate the Transportation System with the future land uses shown on the Future Land Use Map.

Policy 4.9.1 Require all applicants which propose land use plan amendments to submit a traffic study on the impacts the proposed land use plan amendment will have on the traffic circulation system.

Policy 4.9.2 Require all development to be consistent with the right-of-way requirements of the Broward County Trafficways Plan.

Policy 4.9.3 Participate in the development of the Broward County Congestion Management Plan.

Policy 4.9.4 Require all development applications to be consistent with the Broward County Transportation Concurrency Management System and require the payment of applicable transportation Impact Fees prior to receiving a building permit. Applicants seeking building permits will be required to obtain a Broward County Transportation Concurrency Satisfaction Certificate.

Objective 4.10

Encourage quality redevelopment and in-fill development throughout the Town.

Policy 4.10.1 Consider utilizing lower level of service standards that encourages redevelopment and in-fill development.

Policy 4.10.2 Encourage mixed use and transit oriented developments which support increase transit ridership, pedestrian movements, bicycling and other non-auto travel modes thereby promoting the reduction of greenhouse gas emissions.

Policy 4.10.3 Consider providing credit for redevelopment within the Town consistent with Broward County Ordinance 94-24 and State Rule 9J-5.

Objective 4.11

Support mass transit improvements proposed by the Broward County Division of Mass Transit, the Broward MPO, South Florida Regional Transportation Authority (RTA) and the Florida Department of Transportation.

Policy 4.11.1 Work with Broward County Mass Transit Division and the Broward MPO to secure bus bays along major transit corridors.

Policy 4.11.2 Support the Broward County MPO, Broward County Mass Transit Division, South Florida Regional Transportation Authority (RTA) and FDOT's transportation improvements to meet or exceed minimum elderly and handicapped transportation federal guidelines for service.

Policy 4.11.3 Support the Broward County MPO, Broward County Division of Mass Transit, South Florida Regional Transportation Authority (RTA) and FDOT's transit improvements oriented to increase local transit ridership and farebox revenues.

Policy 4.11.4 Support all marketing activities of the Broward County Division of Mass Transit and South Florida Regional Transportation Authority (RTA).

Policy 4.11.5 Support Broward County MPO and Broward County Division of Mass Transit efforts to provide new/expanded route coverage and improved headways.

Policy 4.11.6 Support Broward County's and FDOT's continued funding of local mass transit service consistent with existing service standards.

Policy 4.11.7 Support the funding of Broward County Mass Transit Division to maintain local transit facilities.

Policy 4.11.8 Request route and service extensions to the Town for South Florida Regional Transportation Authority (RTA), the water taxi and Broward County Transit to be coordinated with Lauderdale-By-The-Sea Community Bus Service.

Coastal Management

Goal 5.0

To develop and maintain a coastal resort residential community in a manner which protects human life, minimizes potential natural and financial impacts to developed upland properties, limits public expenditures in areas subject to destruction by natural disasters while preserving beach, shoreline and tidal water resources.

Objective 5.1

Continue to enforce all applicable local, state and federal coastal environmental regulations while providing for the development or operation of remaining vacant waterfront residential properties.

Policy 5.1.1 Continue to participate in and, where appropriate, locally enforce all existing coastal regulatory activities of the Environmental Protection Agency, the Florida Department of Transportation, Florida Department of Environmental Protection, South Florida Water Management District, Broward County Department of Planning and Environmental Protection.

Policy 5.1.2 Review and, where necessary, modify local development regulations to ensure that development projects utilize best management construction techniques.

Policy 5.1.3 Continue to require building construction elevations consistent with minimum federal flood insurance regulations.

Policy 5.1.4 Continue to require building construction techniques in accord with the Florida Building Code.

Policy 5.1.5 Continue to enforce all regulations pertaining to the State's Coastal Construction Line.

Policy 5.1.6 Continue to cooperate in efforts to preserve, protect and encourage turtle nesting along the Town's beaches.

Policy 5.1.7 The Town, in coordination with the Sea Turtle Conservation Program of Broward County, shall maintain land development regulations in order to protect and enhance sea turtle nesting.

Policy 5.1.8 The Town, in coordination with the Broward County the Broward County Beach Lighting Plan, shall maintain regulations to control beachfront lighting in order to protect and enhance sea turtle nesting.

Policy 5.1.9 The Town's land development codes shall contain floodplain protection provisions consistent with the criteria and mapping of the Federal Emergency Management Administration.

Policy 5.1.10 Coordinate future land uses with topography and soil conditions to protect Broward County and the Town's water supply and minimize flooding problems.

Policy 5.1.11 Regulate development on flood prone soils, as defined by the U.S. Department of Agriculture Natural Resource Conservation Service, consistent with the criteria and mapping of the Federal Emergency Management Administration and the South Florida Water Management District.

Objective 5.2

Develop a local water quality improvement program for the Town's portion of the Intracoastal Waterway.

Policy 5.2.1 Investigate the feasibility of retrofitting existing drainage outfalls with pollution control devices.

Policy 5.2.2 Investigate the feasibility of implementing a program of street sweeping roadways and parking areas that drain into the Intracoastal Waterway.

Policy 5.2.3 Develop local building threshold criteria such that major modifications to existing uses conform to local and regional storm drainage requirements.

Policy 5.2.4 Pursue grant and special funding opportunities to fund water quality and drainage improvements.

Objective 5.3

Investigate recreation of a coastal dune system along the Town's beachfront.

Policy 5.3.1 Work with the Broward County and other agencies to identify County, State and Federal grants available for establishing a local dune construction program.

Policy 5.3.2 Develop a test program to install dune vegetation and or sand fencing, in order to refine the cost estimate and funding allocation included in the Town capital improvement program and annual capital budget.

Objective 5.4

Limit public expenditures that subsidize development permitted in the coastal high-hazard area except for those necessary to restore services or to improve environmental quality.

Policy 5.4.1 Provide funding for utility and road maintenance primarily with respect to existing needs.

Policy 5.4.2 Future capital improvements should be oriented to maintaining adopted Level of Service standards for planned designated uses or to improve local environmental quality.

Policy 5.4.3 The Coastal High Hazard Area (CHHA) will be included in the Town's Future Land Use Map and be defined as the area below the elevation of the Category 1 Storm Surge Line as established by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

Objective 5.5

Provide for the local implementation of County Emergency Preparedness Plan residential notification, evacuation and Town management techniques, with particular emphasis towards the Town's multi-family and tourist areas and the maintenance or reduction of hurricane evacuation times.

Policy 5.5.1 Maintain local emergency services personnel familiarity with Broward County's adopted Emergency Preparedness Plan.

Policy 5.5.2 Participate in all countywide emergency preparedness preparation and practice sessions.

Policy 5.5.3 Undertake efforts to establish a location database regarding emergency preparedness target resident groups.

Policy 5.5.4 Integrate improvements in hurricane evacuation procedures as they become known into the Broward County Emergency Preparedness Plan.

Policy 5.5.5 Maintain a current map of Town evacuation routes in the Town's support document noting how the Town's routes connect with the regional hurricane evacuation routes.

Policy 5.5.6 The Town, in coordination with Broward County and the Broward County Emergency Management Division, will analyze the individual and cumulative impacts of land use amendments for proposed residential uses within hurricane evacuation zones on hurricane evacuation clearance standards to ensure that the following hurricane evacuation times are maintained or improved:

- a. An evacuation time of 7.31 hours for category 1 and 2 storms.
- b. An evacuation time of 9.3 hours for category 3, 4 and 5 storms.

Objective 5.6

Provide for urban services consistent with the Level of Service Standards of each Comprehensive Plan Element.

Policy 5.6.1 Maintain existing interlocal agreements for provision of sewer and solid waste with Broward County and private vendors.

Policy 5.6.2 Support and participate in long term areawide planning efforts for provision of potable water, solid waste resource recovery and regional sewage disposal.

Policy 5.6.3 Continue to adequately fund local maintenance and operation needs with respect to storm drainage.

Objective 5.7

The Town shall utilize Broward County's Local Mitigation Strategy to coordinate post-disaster redevelopment that reduces the exposure of human life and public and private property to natural hazards.

Policy 5.7.1 Secure funding and implement a post-disaster redevelopment plan.

Policy 5.7.2 In coordination with Broward County, identify in the post-disaster redevelopment plan criteria for limiting redevelopment due to the extent of damage suffered, the potential repeated damage and areas suitable for public acquisition that have been destroyed as a result of a hurricane.

Policy 5.7.3 Identify in the post-disaster redevelopment plan areas needing redevelopment, including eliminating unsafe conditions and inappropriate uses as opportunities arise.

Policy 5.7.4 Investigate in the post-disaster redevelopment plan, reduction of densities in the coastal high hazard area.

Policy 5.7.5 The Town, in coordination with Broward County, adopted the Broward County Local Mitigation Strategy which establishes an orderly process for reviewing private and public redevelopment proposals to restore economic and social viability of the community in a timely fashion.

Policy 5.7.6 The Town's post-redevelopment and hazard mitigation activities, coordinated through the Broward County Local Mitigation Strategy process will include life saving needs; repair of minor and moderately damaged structures and operations; and full restoration of services and reconstruction of damaged structures and infrastructure.

Objective 5.8

The Town shall support efforts to protect and preserve the off-shore coral reefs and living marine resources in the coastal area.

Policy 5.8.1 Provide funding to support the development of alternative coral reef research efforts within the Town's coastal waters.

Policy 5.8.2 Continue the maintenance of the protected swim area along the Town's beaches.

Policy 5.8.3 While supporting beach re-nourishment efforts, initiate efforts to reduce or mitigate impacts to the coral reef communities.

Policy 5.8.4 Support Broward County's efforts to enhance and restore the local fisheries and hard bottom communities.

Conservation

Goal 6.0

The development and maintenance of a high quality natural environment based on the preservation, improvement and wise utilization of local existing natural resources including factors that effect energy conservation.

Objective 6.1

Maintain local air quality within tolerable limits for recognized pollutants.

Policy 6.1.1 Support the continued air quality monitoring programs of the Broward County and the identification and analysis of hazardous waste pollutants.

Policy 6.1.2 In cases of continued local exceedances of air quality standards, consider supporting areawide air quality improvement activities.

Policy 6.1.3 Support the incorporation of pollution control devices on all future point sources of pollution, which are directly or indirectly funded by the Town.

Policy 6.1.4 Require the use of mulching, spraying and grassing during land development activities to minimize air pollution.

Policy 6.1.5 Require demolition and renovation projects to comply with all local, county, state and federal asbestos regulations.

Policy 6.1.6 The Town shall cooperate with Broward County and the Florida Department of Environmental Protection to maintain acceptable air quality standards.

Policy 6.1.7 Improve the quality of air in Broward County and the Town by establishing land development regulations which promote Broward County's compliance with the Southeast Florida State Implementation Plan.

Objective 6.2

At a minimum, maintain local surface or underground water quality within tolerable limits for recognized pollutants.

Policy 6.2.1 Support areawide wellfield protection and regulatory activities.

Policy 6.2.2 Require the use of outfall pollution control devices and best management practices on all construction sites which interact with the local waterway system.

Policy 6.2.3 Support the water quality regulatory programs of Broward County and the South Florida Water Management District to identify and analyze hazardous waste pollutants and protect natural resources from hazardous wastes.

Policy 6.2.4 Support the programs of the Broward County Department of Planning and Environmental Protection in regulating and discarding of hazardous wastes for households, small businesses and low-volume users.

Policy 6.2.5 The Town shall consider the impacts of land use plan amendments on wetland resources and minimize those impacts to the maximum extent practicable.

Objective 6.3

To protect and, where possible, improve local wildlife and marine habitats.

Policy 6.3.1 Support and enforce the designation of low speed, wake free areas along the Intracoastal Waterway.

Policy 6.3.2 Require that native vegetation species are used for fifty (50) percent of local reforestation and/or beautification efforts at the Town Hall and other Town properties.

Policy 6.3.3 Develop and implement a tree protection Ordinance.

Policy 6.3.4 Require future development activities not adversely affect the survival of endangered and threatened wildlife.

Policy 6.3.5 Support regional efforts to integrate and develop land acquisition and management practices which provide sufficient water supply, wildlife and natural resources protection and public access to natural systems.

Policy 6.3.6 Protect the wetlands, hydric soils and vegetative communities within the Town in order to maintain and enhance wetland resources, wildlife habitat, groundwater recharge and discharge, flood storage, sediment/toxicant retention and nutrient removal/transformation.

Policy 6.3.7 Ensure that mining operations are compatible with existing surrounding land uses and consistent with the Town's Land Use Plan policies regarding protection of natural resources including environmentally sensitive lands and water resource quality and quantity.

Policy 6.3.8 Protect and conserve those areas known to contain plant species listed in the Regulated Plant Index for protection by the Florida Department of Agriculture and Consumer Services.

Objective 6.4

To encourage and promote water and energy conservation strategies.

Policy 6.4.1 Develop procedures, in conjunction with the Lower East Coast Water Supply Update by the South Florida Water Management District, to notify Town residents of voluntary and mandatory water conservation.

Policy 6.4.2 Distribute information promoting standard water conservation techniques.

Policy 6.4.3 The Town shall conserve potable water resources, including the implementation of reuse programs and potable water conservation strategies and techniques.

Policy 6.4.4 Modify the Land Development Regulations to require water conserving fixtures in all new development approvals and building permits.

Policy 6.4.5 Modify the Land Development Regulations to increase the amount of native landscaping and or the use of "xeriscape" required in new development approvals.

Policy 6.4.6 Investigate the feasibility of implementing a demonstration project utilizing "xeriscape" landscaping techniques on Town property.

Policy 6.4.7 Support energy conservation efforts such as solar power and passive solar design techniques.

Policy 6.4.8 The Town shall implement measures that supports mitigation and sensitivity to the impacts of climate change in coordination with other municipalities, Broward County, private businesses, other governmental agencies and the State of Florida. This program will focus on mitigating the causes and consequences of greenhouse gas emissions in a cost-effective and efficient manner that preserves the Town's overall values and quality of life.

Policy 6.4.9 The Town shall monitor efforts and findings from Broward County's Climate Change Task Force to identify greenhouse gas reduction strategies and conservation policies applicable to the Town of Lauderdale by the Sea.

Objective 6.5

Support efforts to protect waters that flow into estuarine or oceanic waters from pollution.

Policy 6.5.1 Support the regulatory programs of Broward County and the South Florida Water Management District which protect waters that flow into estuarine or oceanic waters.

Objective 6.6

Maintain or increase levels of protection for manatees within the waterways of Lauderdale-By-The-Sea.

Policy 6.6.1 The Town will identify and protect designated manatee Essential Habitat areas, in cooperation with Broward County and the Florida Department of Environmental Protection.

Policy 6.6.2 Restrict access and activities in designated manatee Essential Habitat areas.

Policy 6.6.3 Maintain speed regulated zones adjacent to manatee Essential Habitat areas and along manatee travel corridors.

Policy 6.6.4 The Town continues to support the County and State designation of the slow speed (25 mph max) 50-foot shoreline buffer zone along the length of Intracoastal Waterway.

Policy 6.6.5 The Town's Land Development Code will prohibit the construction of commercial or residential docks or docking facilities in manatee Essential Habitat areas.

Policy 6.6.6 Encourage new marina/boat facilities and boat ramps to be located on sites that would minimize manatee/boat overlap and disturbance of manatee habitat.

Infrastructure Element

Goal 7a.0

To ensure that the basic urban community services of potable water is available and adequate to meet the needs of all Town residents as provided for in the Water Supply Facilities Work Plan consistent with the Lower East Coast Water Supply Plan.

Objective 7a.1

Maintain the provision of potable water in accord with the minimum design flow for fire flow and per capita consumption rate for potable water level of service standard established by the City of Fort Lauderdale for the area south of the IBA and the City of Pompano Beach in the IBA.

Policy 7a.1.1 Adopt the recommended level of service standards for fire flow to meet fire fighting demands.

Policy 7a.1.2 Adopt the City of Fort Lauderdale's Level of Service standard of 230 gallons per day per capita for the City's water service area (i.e., the area south of the IBA). Work with the City of Fort Lauderdale to verify the appropriate LOS for potable water for the Town that is consistent with the City's Water Supply Facility Work Plan.

Policy 7a.1.3 Adopt the City of Pompano Beach's Level of Service standard of 191 gallons per day per capita for the City's water service area (i.e., the IBA). Work with the City of Pompano Beach to verify the appropriate LOS for potable water for the Town that is consistent with the City's Water Supply Facility Work Plan.

Policy 7a.1.4 Coordinate with the City of Fort Lauderdale and the City of Pompano Beach to share and update information needed to meet on-going water supply needs.

Policy 7a.1.5 Support the Town's water service providers in implementing new and traditional alternative water supply projects, reuse applications, aquifer protection and conservation efforts.

Policy 7a.1.6 The Town shall establish a concurrency monitoring system for water supply to insure that the level of service is satisfied at the building permit stage.

Goal 7b.07

To ensure that the basic urban community services of sanitary sewer is available and adequate to meet the needs of all Town residents.

Objective 7b.1

Maintain the provision of sanitary sewer services in accord with the storm drainage design criteria for sanitary sewer.

Policy 7b.1.1 Adopt the recommended level of service standards for sanitary sewer of 225 gallons per day per resident.

Policy 7b.1.2 The Town shall require all new commercial development to be serviced by the Town's sanitary sewer system.

Policy 7b.1.3 The Town shall require existing development on septic tanks and private wells to hook up to centralized sewer and water facilities as they become available.

Goal 7c.0

To ensure that the basic urban community services of solid waste disposal, is available and adequate to meet the needs of all Town residents.

Objective 7c.1

Maintain the provision of solid waste services in accord with the pick up frequency/per capita generation rate for solid waste level of service standards.

Policy 7c.1.1 Adopt the recommended level of service standards for solid waste disposal services of 7.1 pounds per capita per day with bi-weekly pickup.

Goal 7d.0

To ensure that the basic urban community services of property drainage is available and adequate to meet the needs of all Town residents.

Objective 7d.1

Maintain the provision of property drainage in accord with the storm drainage design level of service standards.

Policy 7d.1.1 Adopt the recommended level of service standards for building drainage of min. floor elevation above 100 year, 3 day storm and for roadway drainage of crown elevation at 10 year, 3 day storm.

Policy 7d.1.2 Adopt recommended level of service standard for stormwater discharge as identified in Article V, Chapter 27 of the Broward County Code of Ordinances.

Policy 7d.1.3 New non-residential development shall provide pre-treatment for stormwater runoff through grassy swales, wetlands filtration, ex-filtration trenches or other means consistent with the Best Management Practices of the South Florida Management District.

Goal 7e.0

To ensure that the basic urban community services are available and adequate to meet the needs of all Town residents.

Objective 7e.1

Maintain provisions of local infrastructure services in accord with the level of service standards detailed in 7a.1.2, 7a.1.3, 7b.1.1, 7c.1.1 and 7d.1.1.

Policy 7e.1.1 Maintain the Water Supply Facility Work Plan LOS standards through perpetuation of the existing or future interlocal retail service water agreements with Fort Lauderdale and Pompano Beach.

Policy 7e.1.2 Review and where appropriate, adopt revised Level of Service Standards based on existing or future planning efforts of basic service providers to the Town.

Policy 7e.1.3 Participate in the Countywide Resource Recovery Program.

Policy 7e.1.4 Investigate the feasibility of implementing solid waste recycling efforts within the Town.

Policy 7e.1.5 The Town shall implement procedures which identify the cumulative impacts of proposed development on public services and facilities.

Objective 7e.2

To maintain the Town's sanitary sewer collection facilities.

Policy 7e.2.1 The Town should periodically inventory the condition of local sewer transmission facilities.

Policy 7e.2.2 Working with local service providers, develop a priority ranking system of facility replacement and/or expansion needs and, where appropriate, incorporate the funding of improvements in the Town's Capital Improvement Element and Capital Improvement Program.

Objective 7e.3

To maintain the Town's Potable Water distribution system.

Policy 7e.3.1 Require that agreements with the City of Fort Lauderdale and the City of Pompano Beach provide that required maintenance and repairs be performed.

Policy 7e.3.2 Ensure that adequate fire flow requirements are maintained.

Policy 7e.3.3 Work with the City of Fort Lauderdale and the City of Pompano Beach to identify water distribution system deficiencies that need to be incorporated into the respective Capital Improvement Program.

Objective 7e.4

Provide that new development or redevelopment occurs consistent with the adopted level of service standards.

Policy 7e.4.1 Approval of parcel development or redevelopment plans shall be premised on the availability of services at the adopted standard. Development regulatory activities of Broward County and the South Florida Water Management District should be locally enforced.

Policy 7e.4.2 Coordinate land use changes with the availability of water supplies and water supply facilities with the City of Fort Lauderdale and the City of Pompano Beach.

Objective 7e.5

Provide for conserving potable water resources.

Policy 7e.5.1 Support water conservation programs by promoting or distributing information regarding various conservation methods.

Policy 7e.5.2 Develop and enforce water use restrictions in drought periods.

Policy 7e.5.3 Where appropriate, consider supporting and participating in large scale water conservation or non-potable water re-use projects.

Policy 7e.5.4 Support the use of native or drought resistant vegetation species in local public and private landscaping projects.

Policy 7e.5.5 Develop and adopt a water conservation ordinance consistent with the Water Supply Facility Work Plans of the City of Fort Lauderdale and the City of Pompano Beach.

Policy 7e.5.6 Consider incorporating reuse water into Town properties when available from the water service providers.

Objective 7e.6

Provide for local and areawide protection of natural drainage and recharge areas.

Policy 7e.6.1 Support and promote the development regulatory activities of local and areawide water management agencies such as Broward County and the South Florida Water Management District.

Capital Improvements

Goal 8.0

To ensure the orderly and efficient provision of all public services and facilities necessary to serve existing and future Town population.

Objective 8.1

To develop a comprehensive and coordinated funding strategy for the implementation of existing or anticipated capital improvement needs as identified in the adopted Comprehensive Plan or through other local planning efforts.

Policy 8.1.1 Establish local capital project review criteria which, at a minimum, objectively prioritizes projects on the basis of consistency with comprehensive planning activities, eliminates public hazards, cost feasibility and effectiveness, relative magnitude and term of need, inter-governmental commitments, the ability to take advantage of other jurisdictional capital improvements and overall budget impacts.

Policy 8.1.2 Recognize that capital expenditures necessary to maintain or improve existing facilities take precedent over expansion or anticipated future facility needs.

Policy 8.1.3 Include the modification, update and reaffirmation of the Town Capital Improvement Program in annual budget approvals.

Objective 8.2

To orient the expenditure of local capital funds primarily to operational or maintenance improvements and limit public expenditures that subsidize development in high hazard coastal areas.

Policy 8.2.1 Restrict capital funding allocations to maintenance or operation improvement of existing facilities, and expand only if necessary to serve the remaining vacant developable properties or provide environmental improvements.

Objective 8.3

Provide that development or redevelopment proposals are approved consistent with existing services availability or concurrent with the budgeted provision of additional service at the adopted Level of Service Standards.

Policy 8.3.1 Establish procedures to review development proposals cognizant of Level of Service Standards, existing levels of service and where appropriate, the timeframe for implementation of additional facility improvements.

Policy 8.3.2 Condition the approval of proposed development or redevelopment projects on the basis of project related service needs being concurrently available at the adopted Level of Service Standards.

Policy 8.3.3 The Level of Service (LOS) for capital facilities shall be:

- for sanitary sewer - 225 gallons per day per resident;
- for potable water:
 - 230 gallons per day per resident in the Ft Lauderdale Water Service Area;
 - 191 gallons per day per resident in the Pompano Beach Water Service Area.
- for fire flow - meet fire fighting demands;
- for solid waste - 7.1 pounds per capita per day with bi-weekly pickup;
- for drainage - minimum floor elevation above 100 year, 3 day storm and for roadway drainage of crown elevation at 10 year, 3 day storm;
- for transportation - Broward County LOS for the Northeast and Central Transportation Concurrency Management Districts (see Policies 4.2.1 and 4.2.2 for detail);
- for State FDOT I-95 LOS "E";
- for Town Collector Roadways LOS "C" peak season/peak hour traffic

Policy 8.3.4 Insure that potable water, sanitary sewer, solid waste and transportation facilities are available concurrent with impacts via the Town's concurrency management system that details the adopted level of service standards as found in Policy 8.3.3.

Policy 8.3.5 Prior to plat approval, The Town shall ensure that the public facilities and services necessary to meet the Level of Service Standards established within the Town's Comprehensive Plan will be available consistent with concurrency requirements.

Objective 8.4

Provide that private developers participate in facility improvement costs necessary to maintain LOS standards.

Policy 8.4.1 Require performance bonding of project related utility or traffic circulation improvements necessary to accommodate the development of vacant parcels or substantial redevelopment of existing properties.

Policy 8.4.2 Establish a preference for the actual construction of capital improvements in lieu of impact fee payments.

Objective 8.5

Provide a Capital Improvement Program that can be adequately accommodated by projected revenues or other available financial resources.

Policy 8.5.1 Implement a range of revenue and project cost projections based on varying assumptions with regard to the local tax base, shared tax revenues, inflation, possibility of hidden project costs and the level and sources of shared project funding commitment by other jurisdictions.

Policy 8.5.2 Utilize various activities to manage the Town's debt such as limiting revenue bonds to a percentage of total debt, establishing a maximum ratio of total debt service to total revenue and establishing a maximum ratio of outstanding capital indebtedness to the property tax base.

Policy 8.3.5 Prior to plat approval, The Town shall ensure that the public facilities and services necessary to meet the Level of Service Standards established within the Town's Comprehensive Plan will be available consistent with concurrency requirements.

Objective 8.6

The Town of Lauderdale-By-The-Sea, in collaboration with the School Board, Broward County and non-exempt municipalities shall ensure that public school facilities are available for current and future students consistent with available financial resources and the adopted level of service (LOS).

Policy 8.6.1 Consistent with policies and procedures within the Interlocal Agreement for Public School Facility Planning (ILA), the District Educational Facilities Plan shall contain a 5-year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted level of service in all Concurrency Service Areas (CSA). This financially feasible schedule shall be updated on an annual basis and annually adopted into the Capital Improvement Element.

Policy 8.6.2 The Level of Service Standard shall be 100% of gross Florida Inventory of School Housing (FISH) for each CSA until the end of 2018/19 school year and commencing at the 2019/20 school year, the LOS for each CSA shall be 110% of the permanent Florida Inventory of School Housing (FISH) capacity for each public elementary, middle, and high school.

Policy 8.6.3 The adopted level of service shall be applied consistently by Broward County, the municipalities and the School Board, district-wide to all schools of the same type.

Policy 8.6.4 The School Board's District Educational Facilities Plan District Educational Facilities Plan, including pages 1 through 147 and appendices A to E adopted by the School Board on September 7, 2010, are adopted by reference into the Capital Improvement Element.

Intergovernmental Coordination

Goal 9.0

To maintain a cooperative and effective local governmental environment of communication and participation with other local governments and government agencies in the overall best interest of all Town residents.

Objective 9.1

To provide for the exchange of any necessary support information and guidance to other government agencies regarding the Town's Comprehensive Plan or other local planning, development or regulatory efforts including development proposed in the Town's Comprehensive Plan.

Policy 9.1.1 Exchange notifications and documentation and, where appropriate, consider the comments of Fort Lauderdale, Sea Ranch Lakes and County, Regional, or State Planning Agencies with respect to ongoing comprehensive planning programs including future development.

Policy 9.1.2 Continue to support and participate in all environmental agency regulatory programs applicable to Lauderdale-By-The-Sea.

Policy 9.1.3 Where available, provide any population information necessary to support enrollment planning programs of the Broward County School Board.

Policy 9.1.4 Locally enforce the platting and/or right-of-way conveyance requirements of Broward County.

Policy 9.1.5 Work with the City of Pompano Beach, Village of Sea Ranch Lakes, Broward County and the FDOT to develop long range traffic solutions for SR A1A and Commercial Boulevard.

Policy 9.1.6 Agree to participate, where necessary, in the Coastal Resources Interagency Management Committee's dispute resolution process to resolve conflicts between the Town and a public agency seeking a dredge spoil disposal site.

Policy 9.1.7 The Town shall participate with Broward County, navigation and inlet districts, and other appropriate state and federal agencies, in identifying and recommending appropriate dredge and spoil sites, as is consistent with the Town's Comprehensive Plan.

Policy 9.1.8 Coordinate with the South Florida Water Management District relative to the Lower East Coast Water Supply Plan and prepare updates to the Town's Water Supply Plan within 18 months of LEC approval.

Policy 9.1.9 Coordinate with the City of Fort Lauderdale, the City of Pompano Beach and the South Florida Water Management District to provide land use information, population data and other information needed for water supply planning efforts.

Policy 9.1.10 Pursuant to Chapter 163.3177(h) F.S. the Town shall coordinate their planning and permitting processes with the School Board, Broward County, and non-exempt municipalities consistent with the procedures established within the Interlocal Agreement for Public School Facility Planning (ILA) as follows:

1. Review and update of the annual District Educational Facilities Plan (DEFP) containing the financially feasible schedule of capital improvement for school facilities needed to achieve and maintain the adopted level of service stands in all Concurrency Service Areas (CSA)
2. Coordinate Broward County and municipal land use planning and permitting processes with the School Board's site selection and planning process to ensure future school facilities are consistent and compatible with land use categories and enable a close integration of existing and planned school facilities and the surrounding land uses.
3. Coordinate the preparation of Broward County and municipal projections for future development with the School Board's school enrollment projections to ensure consistency between the Broward County and municipal future land use maps and the long term school planning process.
4. Coordinate with the School Board through the Staff Working Group and Oversight Committee regarding the preparation of Broward County and municipal annual comprehensive plan updates and the School Board's annual

update of the District Educational Facilities Plan to ensure consistency between the plans.

5. Coordinate with the School Board on the planning, siting, land acquisition, permitting and development of new school facilities to ensure the availability of public facilities, services and grounds, especially for purposes of exploring collocation opportunities.
6. Revise Broward County and municipal land development regulations and School Board policies to establish a county-wide public school concurrency system.
7. The Town shall coordinate with the School Board of Broward County to achieve an expedited development review procedure for public elementary and secondary education facilities.

Objective 9.2

With the appropriate jurisdictions, provide for cooperative analysis and decision making inputs to proposed land use modifications or project development impacts with extra-territorial significance.

Policy 9.2.1 Agree to participate, where necessary, in the South Florida Regional Planning Council's informal mediation of conflicts regarding land use or zoning disagreements with adjacent jurisdictions.

Policy 9.2.2 Develop procedures to review the existing and planned land uses of adjacent Sea Ranch Lakes, Pompano Beach and Fort Lauderdale prior to making a final decision on land use matters near the Town boundaries.

Policy 9.2.3 Develop procedures to jointly resolve with adjacent jurisdictions, if appropriate, annexation issues.

Objective 9.3

Where possible, provide that Town Level of Service Standards are consistent with those of outside providers of Town infrastructure services.

Policy 9.3.1 When negotiating or renewing interlocal service agreements with Pompano Beach, Fort Lauderdale, Broward County or private vendors, provide for the contractual recognition of adopted Town Level of Service Standards.

Policy 9.3.2 Review the standards subsequently adopted by other government service providers to the Town to consider future modifications to either the local service agreements or Level of Service Standards.

Policy 9.3.3 Participate in discussions with Broward County and the Florida Department of Transportation to develop a long term improvement strategy for SR A1A.

Policy 9.3.4 Adopt the Fort Lauderdale Water LOS of 230 gpcpd and the Pompano Beach Water LOS of 191 gpcpd for each respective Water Service Area. Work with the Cities to verify the LOS standard is appropriate for the Town's barrier island location.

Economic / Redevelopment

Goal 10.0

To promote the continued economic vitality of the Town's seasonal residential and business areas in a manner sensitive to the overall best interests of existing Town residents.

Objective 10.1

To maintain local hotel and motel occupancy rates higher than those of Broward County as a whole.

Policy 10.1.1 Participate in areawide promotional efforts of the Broward County Tourist Development Council and the Town's Chamber of Commerce.

Policy 10.1.2 Working with the Chamber of Commerce and, where appropriate, other local groups, the Town shall support efforts to establish a schedule of at least one 'festival' type event on an annual basis during off-peak season. Proceeds from at least one event to be pledged to furthering beautification efforts consistent with the goals, objectives, and policies of the Comprehensive Plan.

Policy 10.1.3 Incorporate the Town's beach portals, off-shore coral reefs, under water park and diving amenities into tourist promotions.

Objective 10.2

Cultivate an overall local resort image by undertaking/promoting related public and private property improvements.

Policy 10.2.1 The Town shall consider and develop a local funding strategy to implement facility and landscaping improvements to the Town's parks and recreation facilities, Town properties, beach access points, public right of ways and major entryways.

Policy 10.2.2 Continue to participate in areawide beach restoration efforts.

Objective 10.3.

To broaden the tourist market base by encouraging innovation and modernization in the type, character and appearance of local tourist residential and business uses.

Policy 10.3.1 The Planning and Zoning Board shall continue to modify the Land Development Regulations and consider adopting a set of Community Design guidelines. At a minimum, the guidelines shall be based on an investigation of the need for specific criteria related to public and private building signage, building color and architectural theme, landscaping and public facility/streetscape design.

Policy 10.3.2 In conjunction with Community Design efforts, the Town's Planning and Zoning Board shall undertake a review of the local Zoning Code oriented to potential revisions in the following areas:

- b. on-site parking with regard to limiting back-out parking on arterial and main collector roadways;
- c. improvements to landscape requirements;
- d. implement recent Charter amendments on height;
- e. address finished floor requirements east of El Mar Drive;
- f. maximum lot coverage, minimum floor area, per unit lot area and parcel size requirements;

Policy 10.3.3 Working with the local business community and based in part on the Design Guidelines study, the Town shall continue to modify the Land Development Regulations and consider enacting 'amortization' Ordinances for landscaping, building facade and signage modifications on existing hotel and business properties.

Policy 10.3.4 Implement the Block 15 Planning Study providing additional density for tourist units in the area bounded on the east by El Mar Drive, on the south by Datura Avenue, on the West by SR A1A and on the north by the alley separating the Business and RM-25 Zoning District. The additional density will provide for sixty (60) hotel-motel units per net acre to encourage the construction of new tourist units in the Town. Note the 60 hotel – motel units per net acre is consistent with the Broward County 50 hotel – motel units per gross acre. This provision does not increase the existing residential density of 25 units per acre.

Objective 10.4

To increase overall business occupancy rates to at least 90% of total available business floor area.

Policy 10.4.1 The Town's Planning and Zoning Board shall undertake a review of the local Zoning Code oriented to potential revisions in the following areas:

- further segregating year round versus tourist oriented business establishments by allowing, limiting or prohibiting certain types of establishments in certain zoning categories.
- on-site business parking space requirements.

Objective 10.5

To provide that redevelopment proposals occur consistent with the Town's plan and adopted level of service standards.

Policy 10.5.1 In addition to satisfying other concerns, future redevelopment proposals shall be reviewed/approved only upon a finding that urban services can be provided within adopted level of service standards.

Policy 10.5.2 The Town shall emphasize the siting of new beachfront hotels landward of the coastal control building line wherever possible.

Policy 10.5.3 The Town shall consider the seasonal impacts of future development proposals on the Town's level of service standards during development review.

Objective 10.6

Provide for the perpetuation of the overall low-rise, pedestrian oriented atmosphere of the southern portion of the Town consistent with the Charter.

Policy 10.6.1 Maintain Plan land use designations and current building height limitation consistent with the Charter.

Policy 10.6.2 With regard to the above, consider amendments to the Plan with a clear emphasis towards maintaining an open, pedestrian friendly building character.

Objective 10.7

Increase the amount of business area off-street public parking

Policy 10.7.1 The Town shall initiate a study by 2010 to identify parking conditions and parking demands in the business area and the occupancy of the Town's two parking lots.

Policy 10.7.2 The parking study will investigate the economic feasibility of developing a parking structure.

Policy 10.7.3 Consider a multi-modal transportation use in conjunction with any parking structure study.

Policy 10.7.4 Consider joint public and private funding to develop a parking structure on the Town's Bougainville Drive parking lot in-conjunction with any major redevelopment of the Town's downtown business area.

Public School Facilities Element

Goal 11.1

The Town of Lauderdale-By-The-Sea (Town) in collaboration with the School Board of Broward County (School Board) and Broward County municipalities (municipalities) shall ensure that public school facilities will be available for current and future students consistent with available financial resources and adopted level of service standards (LOS). This will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of adequate public school facilities and the authority of the Town for development permitting and comprehensive planning.

Objective 11.1.1

Pursuant to Chapters 163.3177 and 163.3180 F.S. and the Interlocal Agreement for Public School Facility Planning (ILA), the Town shall provide comments to the School Board during its annual update and adoption of the Five-Year District Educational Facilities Plan (DEFP) which shall contain a five-year financially feasible schedule of capital improvements to address existing deficiencies and achieve and maintain the adopted level of service in all concurrency service areas (CSAs). The DEFP shall also contain an LOS plan which reflects the data required to demonstrate the achievement and maintenance of the adopted LOS. The School Board shall also ensure that school facilities are planned to meet the long-term planning period of the Public School Facility Element (PSFE) of the Town's Comprehensive Plan.

Policy 11.1.1.1 The DEFP shall include a financially feasible schedule of capacity additions to existing schools and construction of new schools to eliminate existing level of service deficiencies and meet the needs of projected growth for the five-year planning period. This financially feasible schedule shall be annually adopted into the Town's Comprehensive Plan Capital Improvements Element (CIE) by reference.

Policy 11.1.1.2 The DEFP shall provide year-by-year projections of the capacity needed to achieve and maintain the adopted LOS within the CSA for each school for the five-year planning period. These projections are included in the supporting documents of the PSFE.

Policy 11.1.1.3 The DEFP's five-year financially feasible schedule shall provide for the remodeling/renovation of existing schools to meet the identified needs of aging schools and replace worn facilities.

Policy 11.1.1.4 The DEFP shall be amended on an annual basis to: 1) add a new fifth year; 2) reflect changes in estimated capital revenues, planned capital appropriations costs, planned capital facilities projects, CSAs and school usage; and, 3) ensure the DEFP continues to be financially feasible for the five-year planning period.

Policy 11.1.1.5 Annual plan amendments to the DEFP and CSA maps shall be coordinated with annual plan amendments to the CIE of the Town's Comprehensive Plan. The annual plan amendments shall ensure that the schedule of capital improvements within the CIE continues to be financially feasible and the LOS will be achieved and maintained.

Objective 11.1.2

The Town shall participate in the Broward County a county-wide public school facilities concurrency management system for implementation of public school concurrency to ensure that public school facilities are available at the adopted level of service standard concurrent with the impact of proposed residential development.

Policy 11.1.2.1 The Town in collaboration with the School Board and Broward County shall implement concurrency management systems consistent with the policies included in the Broward County and the Town's public school facility elements, procedures and requirements included within the ILA and the Town's land development regulations (LDRs).

Policy 11.1.2.2 The CSAs shall be the annually adopted school attendance boundaries for each elementary, middle and high school. The maps of the CSAs are maintained in the data and analysis section of this element.

Policy 11.1.2.3 The Level of Service standard shall be 100% of gross capacity Florida Inventory of School Housing (FISH) for each CSA until the end of the 2018/19 school year; and commencing at the 2019/20 school year, the LOS for each CSA shall be 110% of the permanent Florida Inventory of School Housing (FISH) capacity for each public elementary, middle and high school.

Policy 11.1.2.4 If adequate capacity is not available in a CSA for a proposed residential development, but capacity exists in one or more contiguous CSAs, the development may proceed consistent with the provisions and procedures in the ILA and the Town's LDRs.

Policy 11.1.2.5 If adequate capacity is not currently available in a CSA or contiguous CSA, for a proposed residential development, but capacity is scheduled in the DEFP to be available within 3 years after the issuance of final subdivision or site plan approval, (or functional equivalent), development of the project may proceed in accordance with the provisions and procedures in the ILA and the Town's LDRs.

Policy 11.1.2.6 The Town shall not approve a residential plat or site plan (or functional equivalent) until the School Board has reported that the school concurrency requirement has been satisfied consistent with the provisions and procedures in the ILA and the Town's LDRs.

Policy 11.1.2.7 The CSAs shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards and the capacity, taking into account special considerations such as, core capacity, special programs, transportation costs, geographic impediments, diversity programs, and class size reduction requirements to prevent disparate enrollment levels between schools of the same type (elementary, middle, high) and provide an equitable distribution of student enrollment district-wide.

Policy 11.1.2.8 The projected student impact of a proposed residential development shall be determined using the student generation rates approved by the School Board and adopted within the Town's LDRs. The student generation rates shall be reviewed and updated at least every 3 years.

Policy 11.1.2.9 The public school concurrency approval for residential plats shall expire if development within the plat does not commence within 5 years following the date of County Commission approval.

Objective 11.1.3

The School Board, pursuant to Chapter 163.3180 F.S. and the ILA, shall adopt proportionate share mitigation alternatives which provide an option for residential developments unable to meet the public school concurrency requirement. Upon approval of a proportionate share mitigation alternative by the School Board and completion of

necessary binding agreements, a development will be deemed to have met the public school concurrency requirement and may proceed.

Policy 11.1.3.1 A residential development's proportionate share mitigation value shall be determined by multiplying the number of additional student stations needed to mitigate the impact of the proposed development on schools within the affected CSA(s) not meeting the adopted LOS standards by the State cost per student station for each school type plus a land impact cost share, if any. Pursuant to Section 163.3180(13)(e)(2), F.S., the applicant's proportionate share mitigation obligation shall be credited toward any other impact or exaction fee imposed by local ordinance for the same need, on a dollar-for dollar basis, at fair market value.

Policy 11.1.3.2 Proportionate share mitigation shall enhance the capacity of the schools (or provide for the construction of new schools) serving the proposed residential development. The mitigation shall equate to at least one permanent classroom, which may be funded by one or more residential developments, or other identified funding sources. Mitigation that results in the need for school site(s) shall primarily be the dedication of land. Proportionate share mitigation shall include the following options, as further defined and subject to, procedures and requirements in the ILA;

- 1 Purchase or dedication of needed elementary, middle or high school sites.
- 2 Construction of capacity improvements identified in years four (4) or five (5) of the DEFP including advancement of such improvements into the first three years of the DEFP.
- 3 Construction of previously unplanned schools, classroom additions, modular classrooms or similar facilities. Such facility capacity shall be included in the first three years of the DEFP through an amendment approved by the School Board.
- 4 Construction of the needed capacity at one or more charter schools.
- 5 Other mitigation options approved by the School Board on a case by case basis contingent upon a School Board finding that the option mitigates the impact of the proposed development.

Policy 11.1.3.3 Mitigation shall be assured by a legally binding agreement between the School Board, the applicant and the Town, which shall be executed prior to the issuance of the final subdivision plat or the final site plan approval (or functional equivalent). If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in the first three years of the DEFP.

Goal 11.2

Maximize collaboration and coordination between the Town, the School Board and the municipalities, to effectively plan for public elementary and secondary school facilities to meet the current and future needs of Broward County's public school population. Pursuant to Chapter 163.3177 F.S., The Town, Broward County and all non-exempt municipalities within the County, shall coordinate and cooperate to ensure the adopted public school facilities elements are consistent with each other.

Objective 11.2.1

The Town, the School Board and the municipalities shall establish coordination mechanisms to ensure that the locations of existing and proposed school sites are compatible with and proximate to the existing and planned land uses they serve. Such coordination shall also ensure there is adequate public infrastructure available to serve existing and planned school sites including infrastructure which provides safe access to schools.

Policy 11.2.1.1 The Town will coordinate through the procedures established in the ILA that existing and proposed public school facility sites are consistent and compatible with the Town's comprehensive plan.

Policy 11.2.1.2 The Town will coordinate with the School Board and Broward County to prepare projections of future development and public school enrollment growth and to ensure such projections are consistent with the Town's future land use map and the School Board's Long Range Public School Facilities Map consistent with the procedures and requirements identified in the ILA.

Policy 11.2.1.3 Consistent with Section 163.3177 (12) (g), F.S., the Town's PSFE shall include future conditions maps showing existing and anticipated school facilities for the short-term (5 year) and long-term (10 year) planning time frames. Maps 1 through 12

depict the short and long term existing and anticipated public school facilities and ancillary plants.

Policy 11.2.1.4 Consistent with provisions and procedures in the ILA, the School Board will advise the Town of inconsistencies in the Town's comprehensive plan and plan amendments with the DEFP and Long-Range School Facilities Plan.

Policy 11.2.1.5 The School Board shall monitor and participate in the Broward County and/or Town plat review and site plan review processes, the Development of Regional Impact (DRI) process, the land use plan amendment process and other development order/permit processes that may have an impact on current or planned public educational facilities in Broward County.

Policy 11.2.1.6 The Town shall utilize the procedures identified within the ILA, including the Staff Working Group and Oversight Committee established by the ILA, to coordinate the annual review of school enrollment projections in addition to the preparation and annual reviews of public school facilities elements and ensure that the elements are consistent with each other.

Policy 11.2.1.7 The School Board shall annually update and adopt the DEFP and transmit it, including any supplemental amendments, to the Town which then shall amend its CIE to incorporate the updated DEFP consistent with the provisions and procedures of the ILA.

Policy 11.2.1.8 The Town shall share and coordinate information through the plat, site plan and school siting processes and procedures identified in the ILA with the School Board and Broward County to ensure the location, phasing, and development of public school facilities, including additions to existing facilities, is coordinated with the provision of necessary public infrastructure including water and sewer, roads, drainage, sidewalks, mass transit and other infrastructure required to support the public school facilities.

Policy 11.2.1.9 The Town shall coordinate with the School Board and Broward County through the school siting process identified in the ILA and the Town's platting and site plan approval processes to implement strategies, consistent with Florida's Safe Ways to School Program, which reduce hazardous conditions and provide direct, unobstructed and safe access for pedestrian travel (including sidewalks, bicycle paths, signage and signalization) to existing and new school facilities.

Objective 11.2.2

The Town pursuant to the ILA, shall coordinate the location of public school facilities with the School Board and Broward County relative to the location of other public facilities such as parks, libraries and community centers and promote schools to be focal points within the community.

Policy 11.2.2.1 In the planning, siting, land acquisition, permitting and development of a new school facility or significant renovation or expansion, the School Board shall coordinate with the Town on the availability of public facilities, services and grounds (especially for the purposes of collocating parks, libraries, ball fields, community centers, public safety facilities, parking facilities, drainage facilities and other appropriate facilities).

Policy 11.2.2.2 The Town shall pursue shared-use and co-location of school sites with the School Board and Broward County having similar facility needs, such as libraries, parks, ball fields, other recreation facilities.

Policy 11.2.2.3 Through the design of school facilities, establishment of school siting standards and pursuit of collocation opportunities, the School Board shall encourage school facilities to serve as community focal points.

Policy 11.2.2.4 The Town will coordinate with the School Board and Broward County on efforts to build new school facilities, which are designed to serve as emergency shelters as required by Section 1013.372, F.S.,

Policy 11.2.2.5 The Town shall support the efforts of the School Board to achieve diversity within Broward County district schools by implementing regulations that promote a diversity of housing types and redevelopment opportunities.

List of Adopted Maps

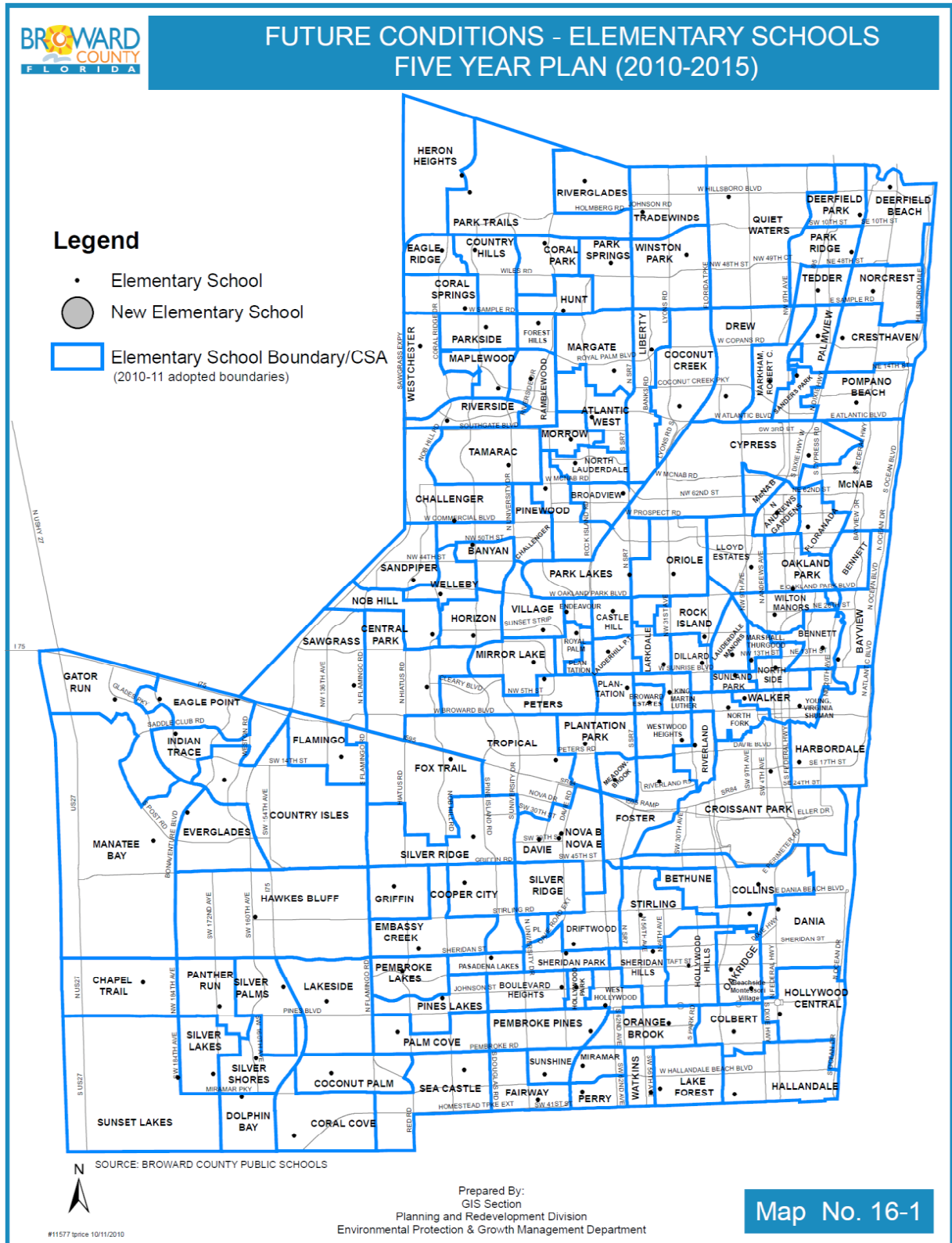
Short-Range – (2010 – 2015)

- Map -1 Future Conditions -Elementary Schools – Five Year Plan
- Map -2 Future Conditions -Middle Schools – Five Year Plan
- Map -3 Future Conditions -High Schools – Five Year Plan
- Map -4 Future Conditions -Charter Schools – Five Year Plan
- Map -5 Future Conditions -Special Schools – Five Year Plan
- Map -6 Future Conditions -Ancillary Plant Locations – Five Year Plan

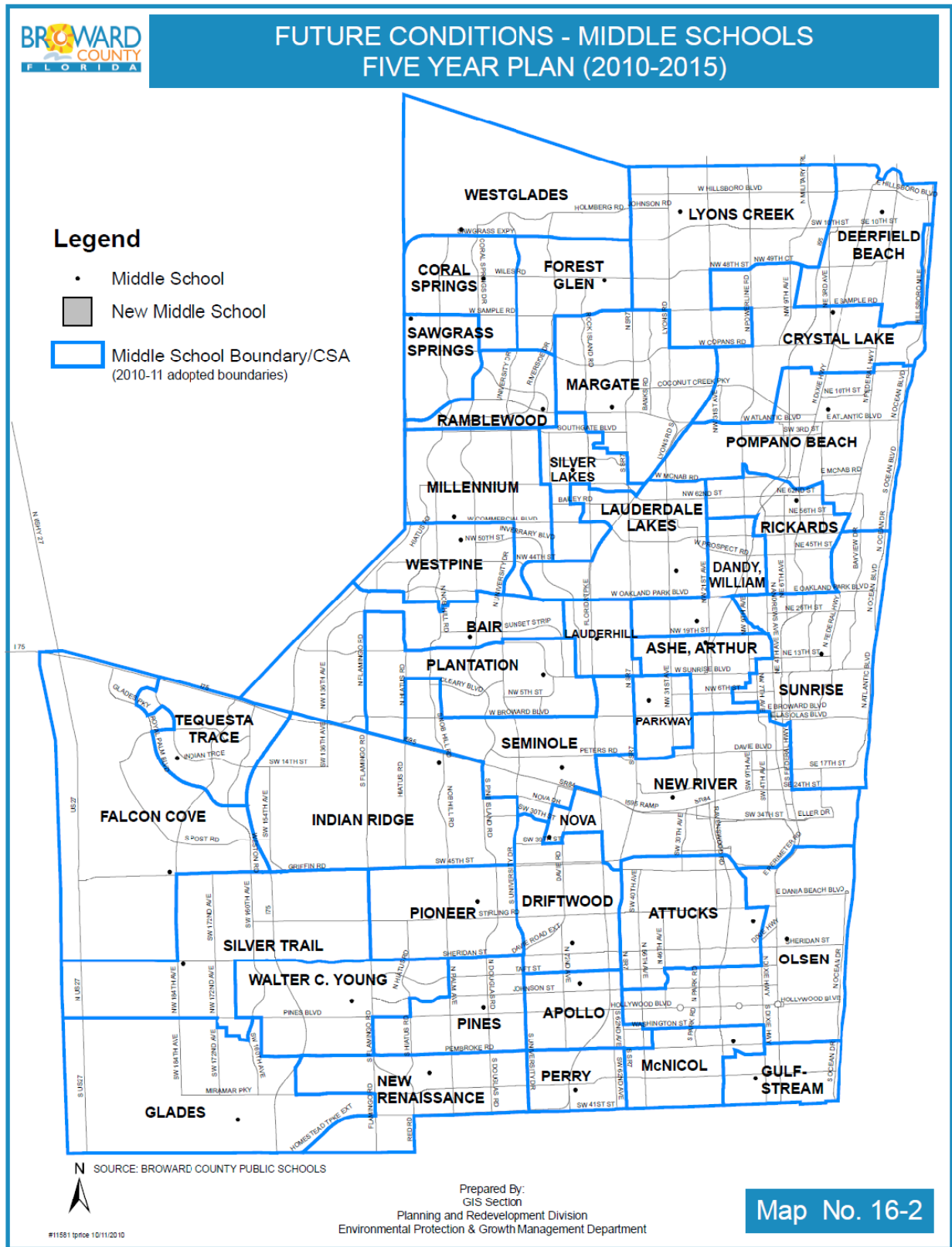
Long-Range – (2010 – 2020)

- Map -7 Future Conditions -Elementary Schools – Ten Year Plan
- Map -8 Future Conditions -Middle Schools – Ten Year Plan
- Map -9 Future Conditions -High Schools – Ten Year Plan
- Map -10 Future Conditions -Charter Schools – Ten Year Plan
- Map -11 Future Conditions -Special Schools – Ten Year Plan
- Map -12 Future Conditions -Ancillary Plant Locations – Ten Year Plan

Map - 1



Map - 2



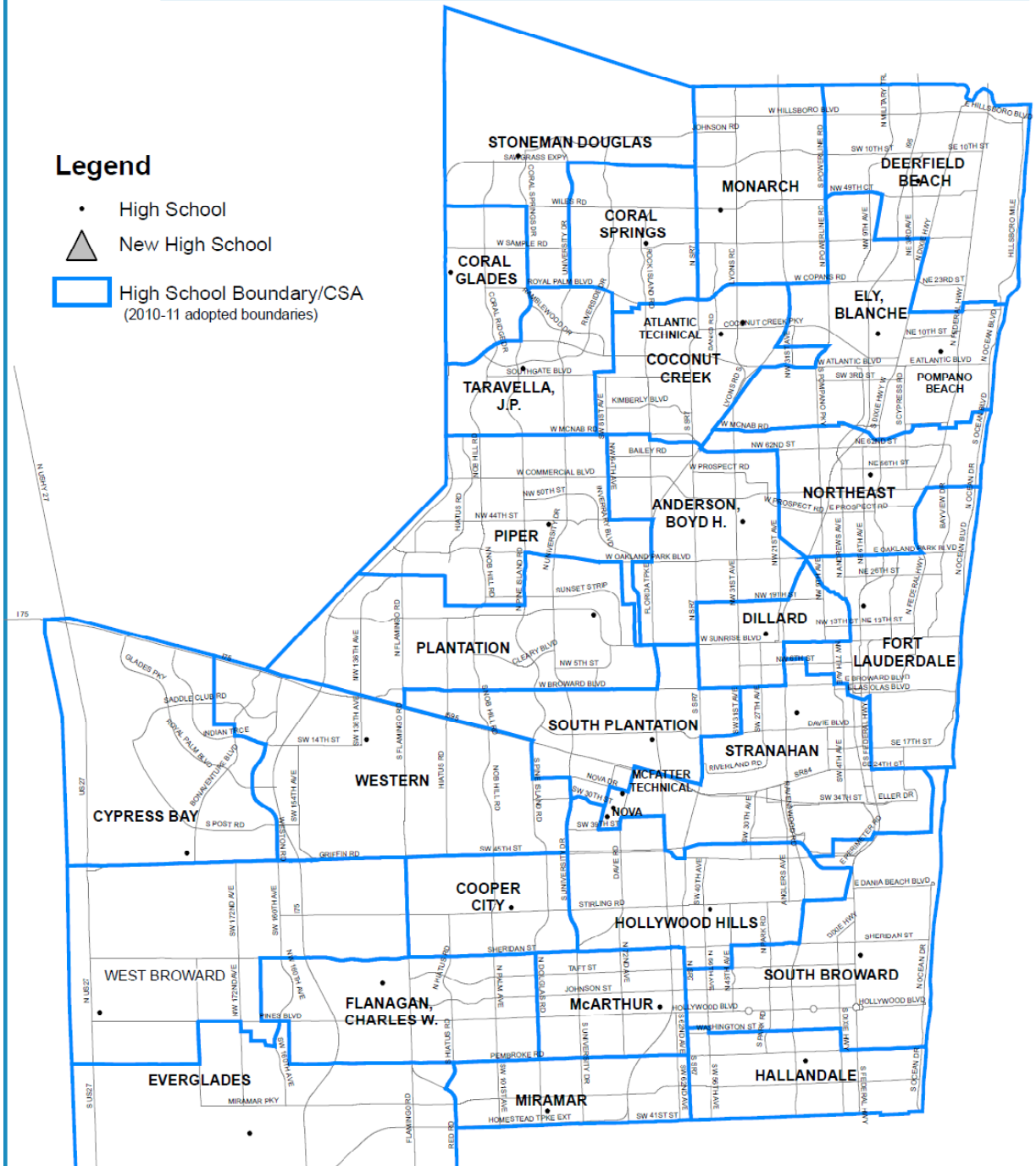
Map - 3



FUTURE CONDITIONS - HIGH SCHOOLS FIVE YEAR PLAN (2010-2015)

Legend

- High School
- ▲ New High School
- High School Boundary/CSA
(2010-11 adopted boundaries)



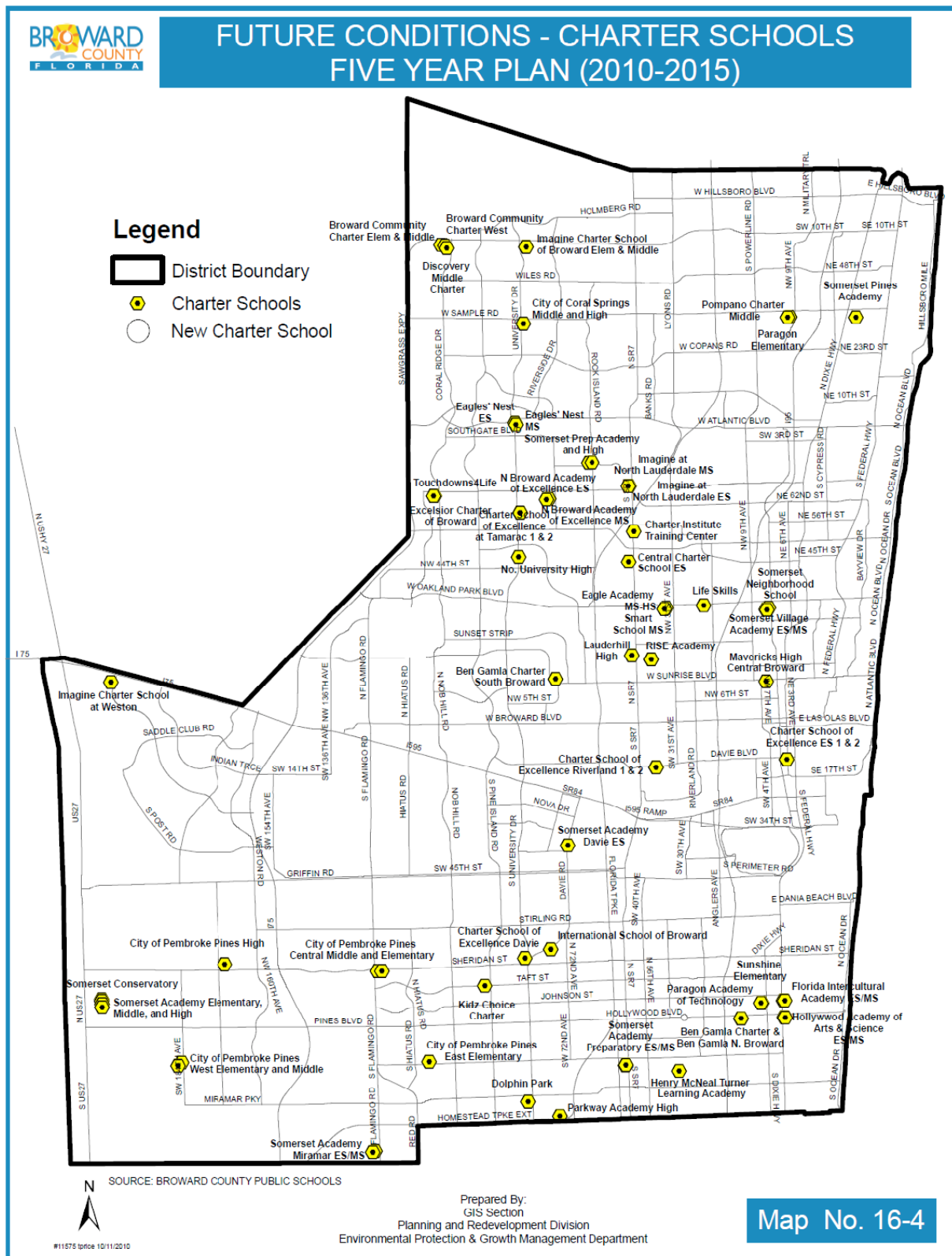
SOURCE: BROWARD COUNTY PUBLIC SCHOOLS

Prepared By:
GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department

Map No. 16-3

#11579 tprc 10/11/2010

Map - 4



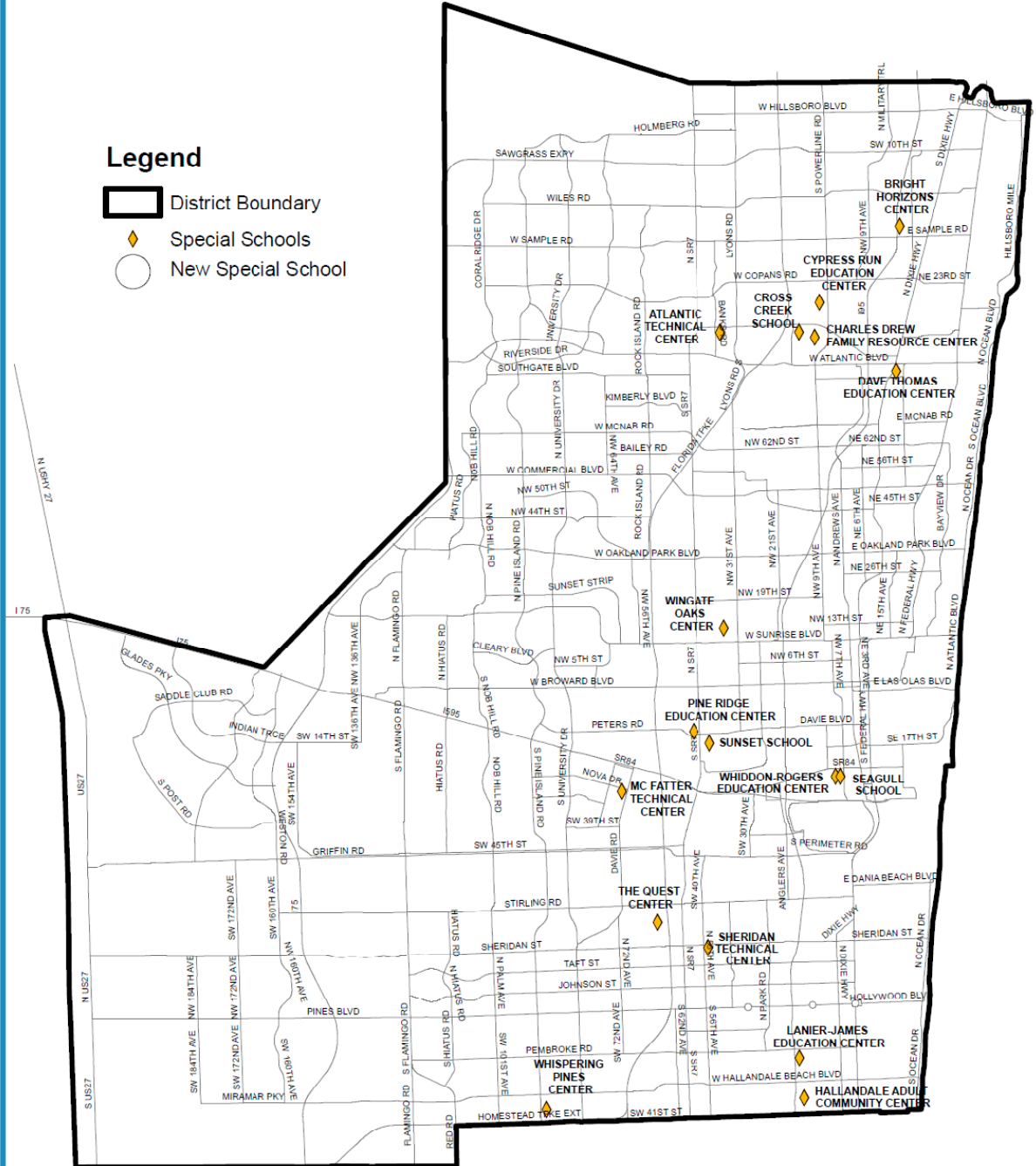
Map - 5



FUTURE CONDITIONS - SPECIAL SCHOOLS FIVE YEAR PLAN (2010-2015)

Legend

- District Boundary
- ◆ Special Schools
- New Special School



SOURCE: BROWARD COUNTY PUBLIC SCHOOLS

Prepared By:
GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department

Map No. 16-5

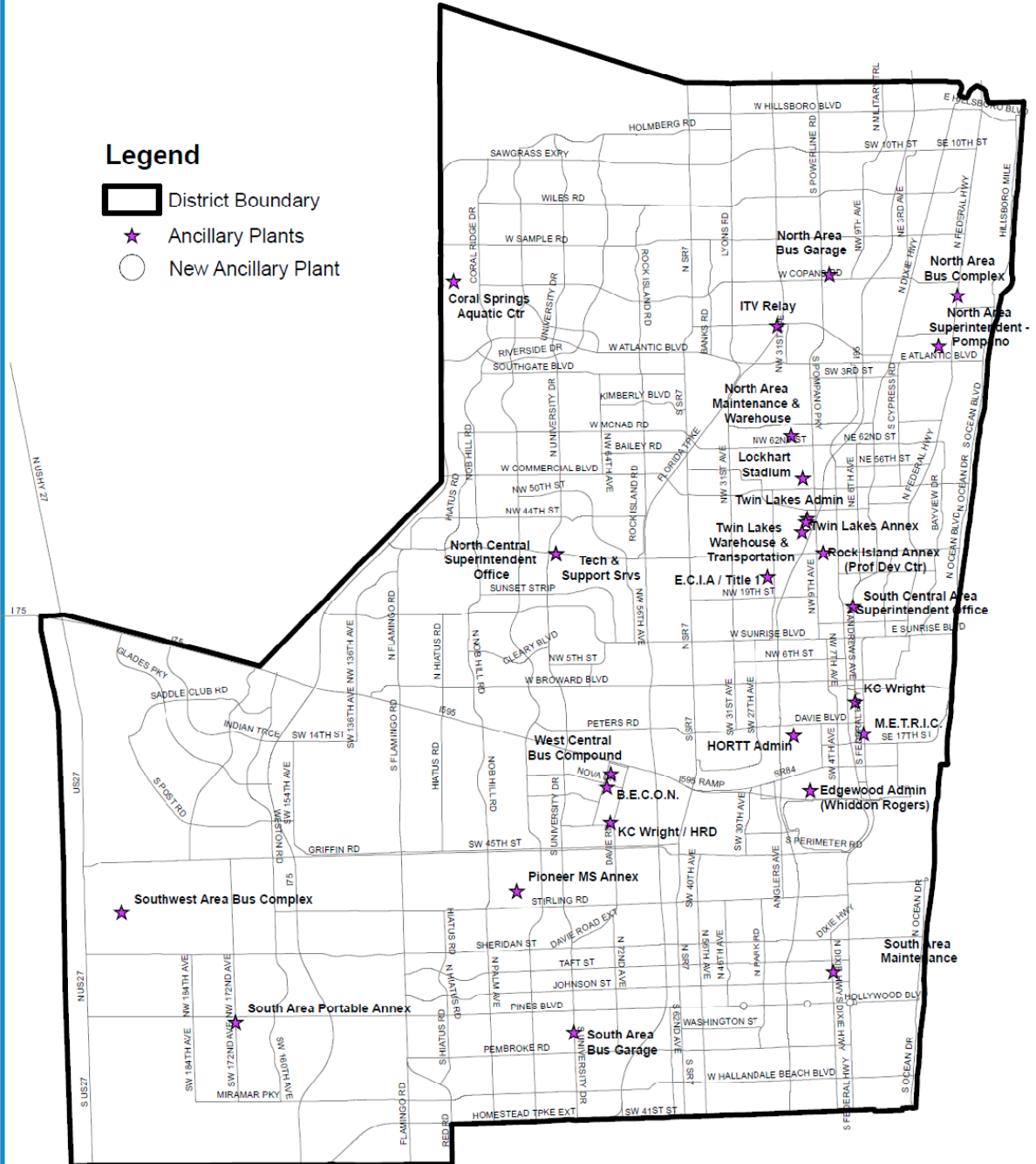
Map - 6



FUTURE CONDITIONS - ANCILLARY PLANT LOCATIONS FIVE YEAR PLAN (2010-2015)

Legend

- District Boundary
- ★ Ancillary Plants
- New Ancillary Plant



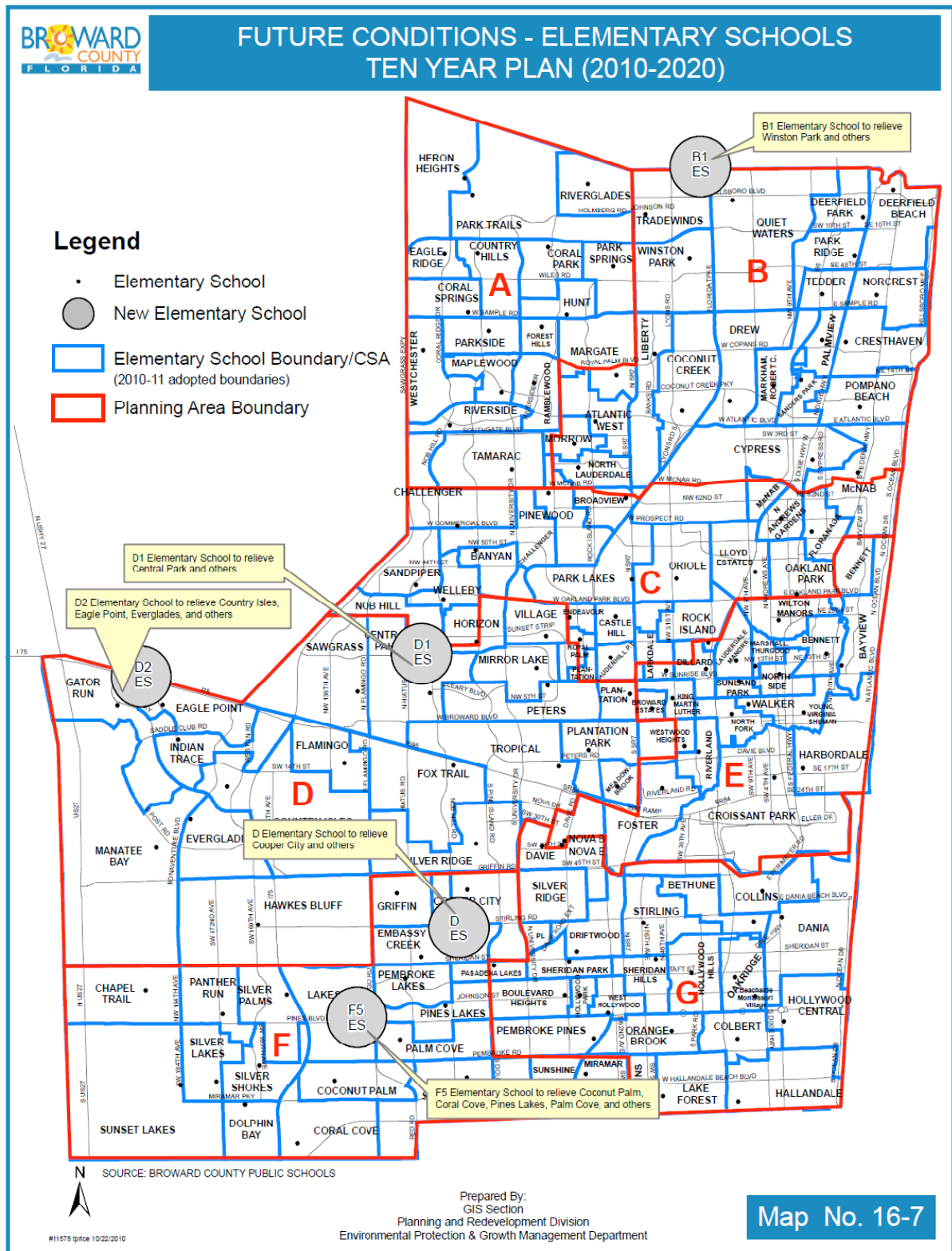
SOURCE: BROWARD COUNTY PUBLIC SCHOOLS

#11272 Issue 10/11/2010

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Planning and Redevelopment Division
Environmental Protection & Growth Management Department

Map No. 16-6

Map - 7



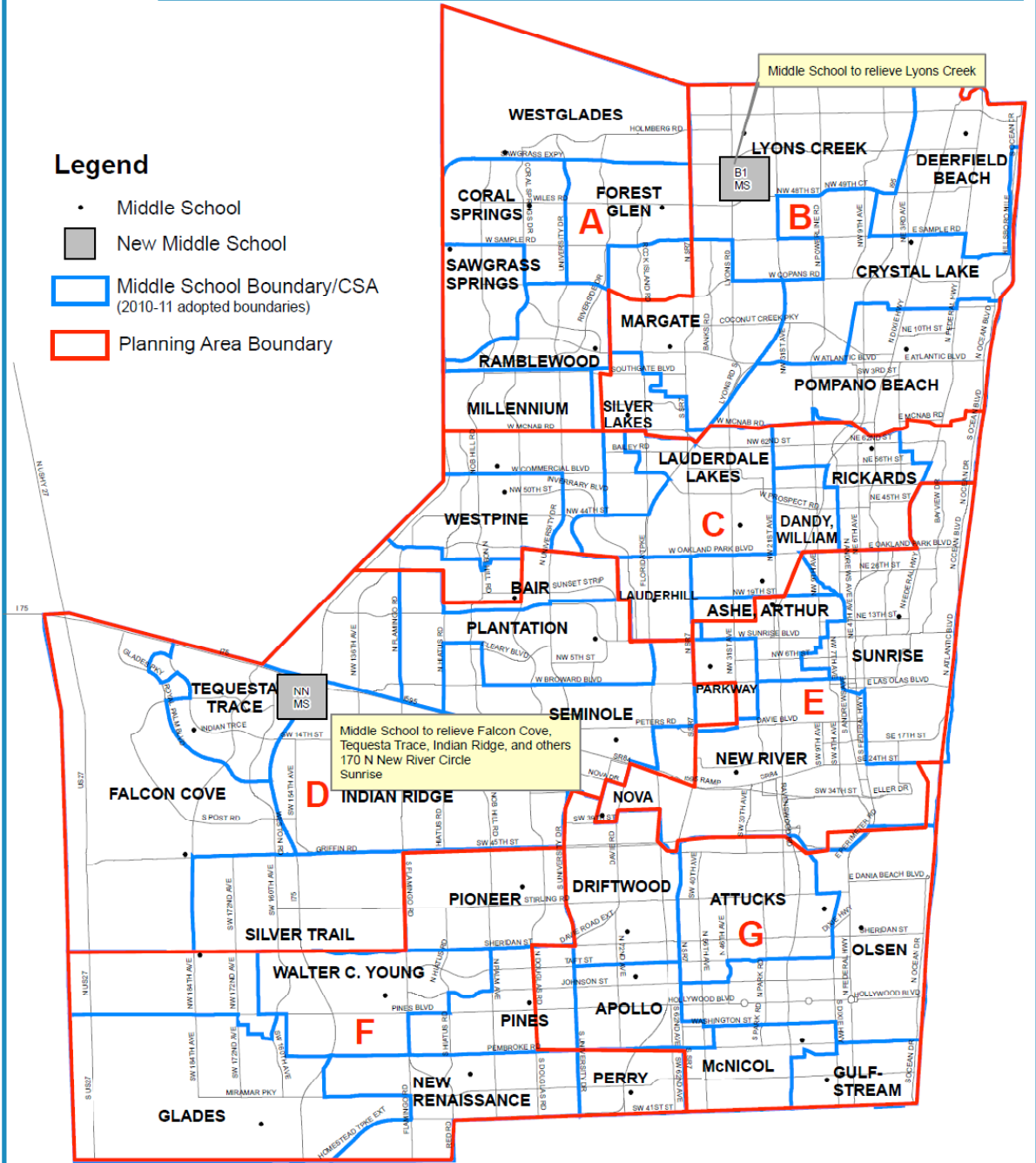
Map - 8



FUTURE CONDITIONS - MIDDLE SCHOOLS TEN YEAR PLAN (2010-2020)

Legend

- Middle School
- New Middle School
- ▭ Middle School Boundary/CSA (2010-11 adopted boundaries)
- ▭ Planning Area Boundary



SOURCE: BROWARD COUNTY PUBLIC SCHOOLS

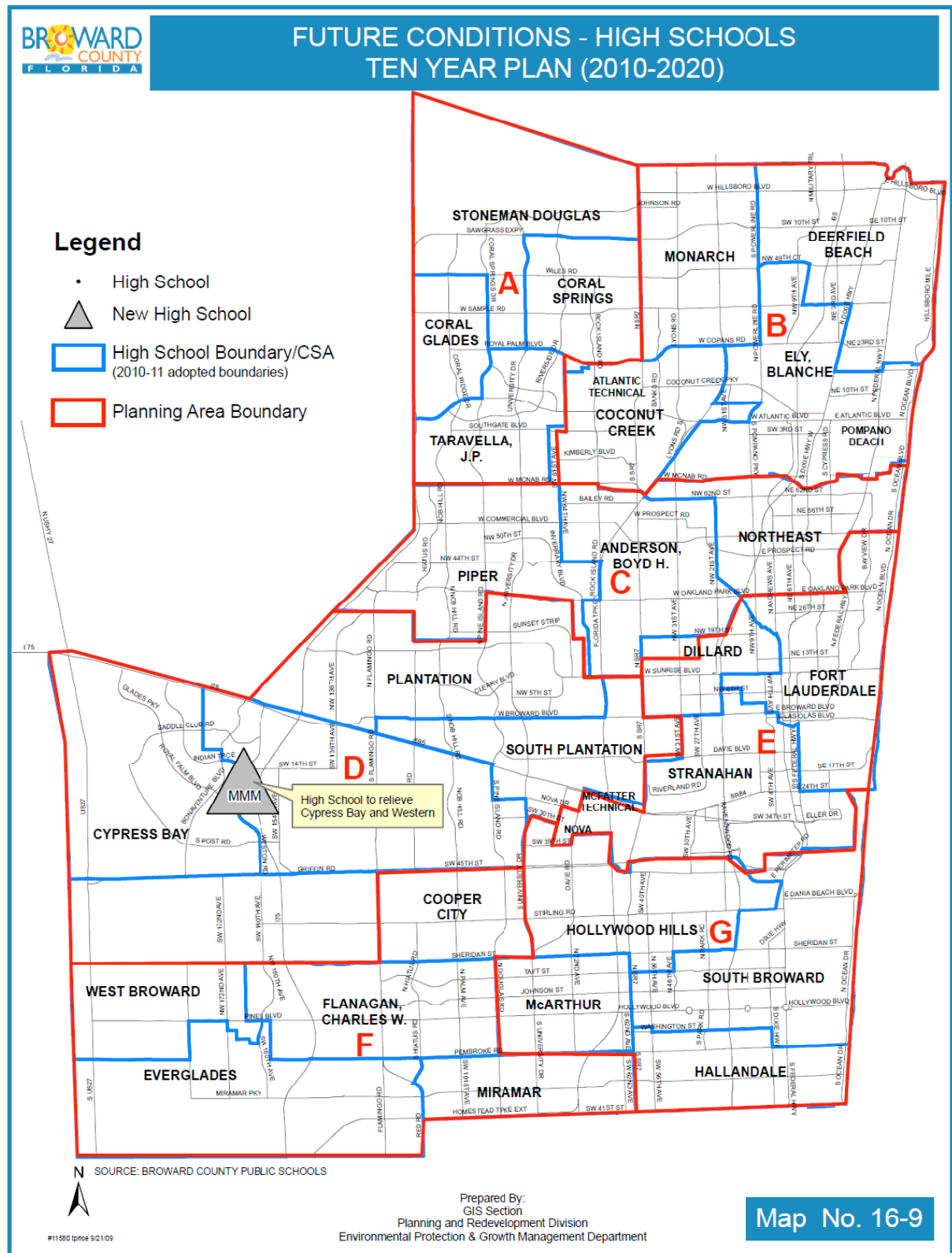


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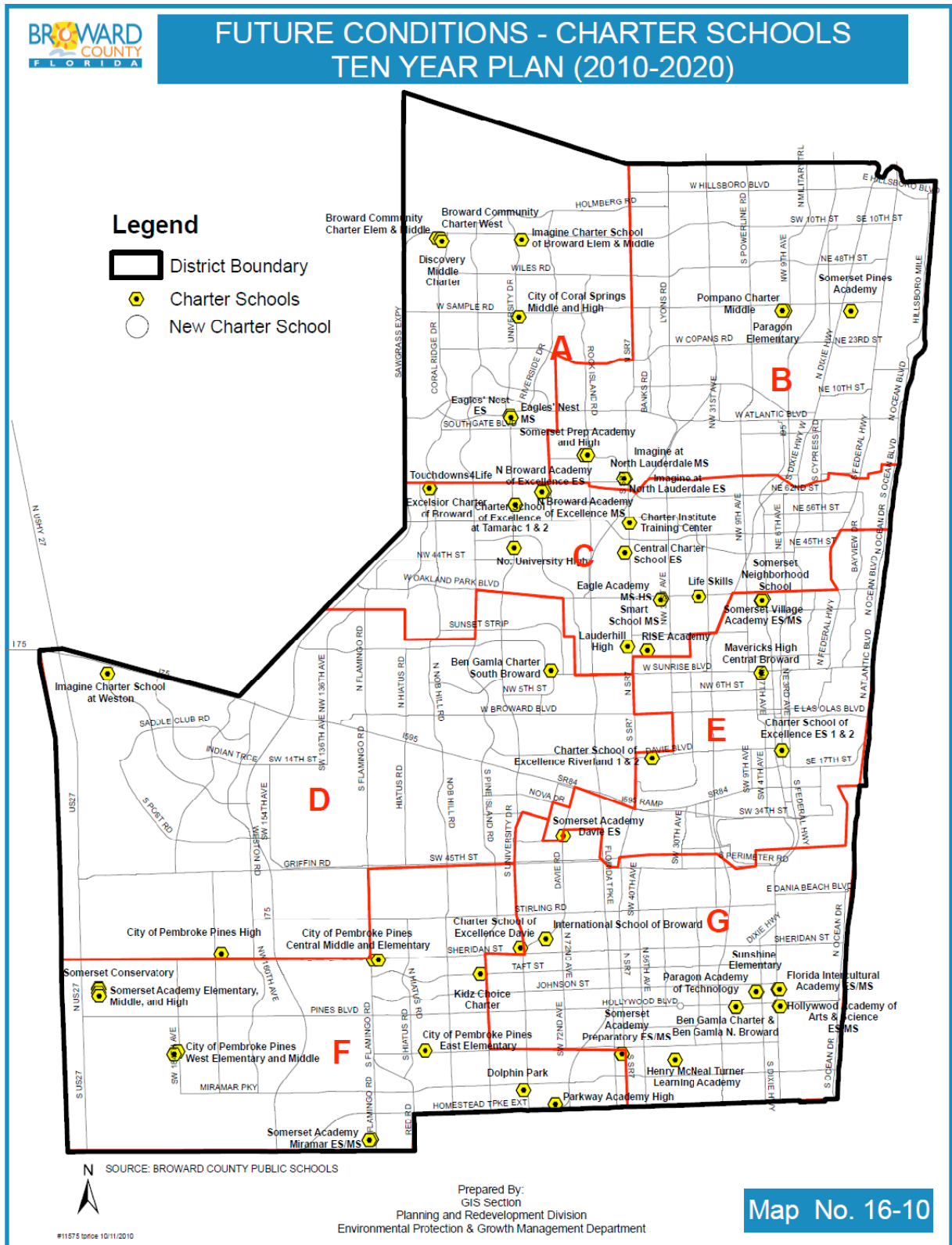
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Environmental Protection & Growth Management Department

Map No. 16-8

Map - 9



Map - 10



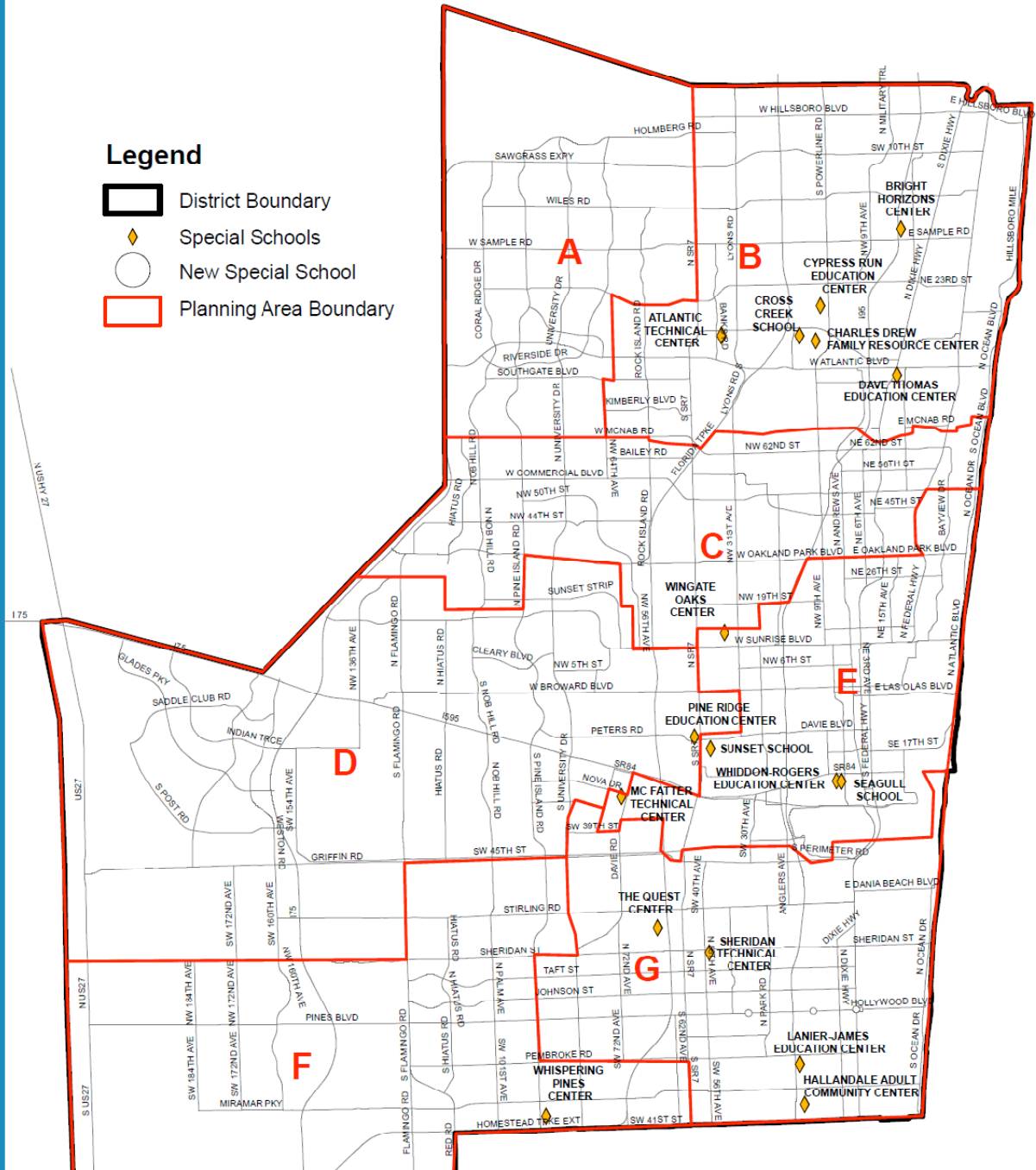
Map - 11



FUTURE CONDITIONS - SPECIAL SCHOOLS TEN YEAR PLAN (2010-2020)

Legend

- District Boundary
- Special Schools
- New Special School
- Planning Area Boundary

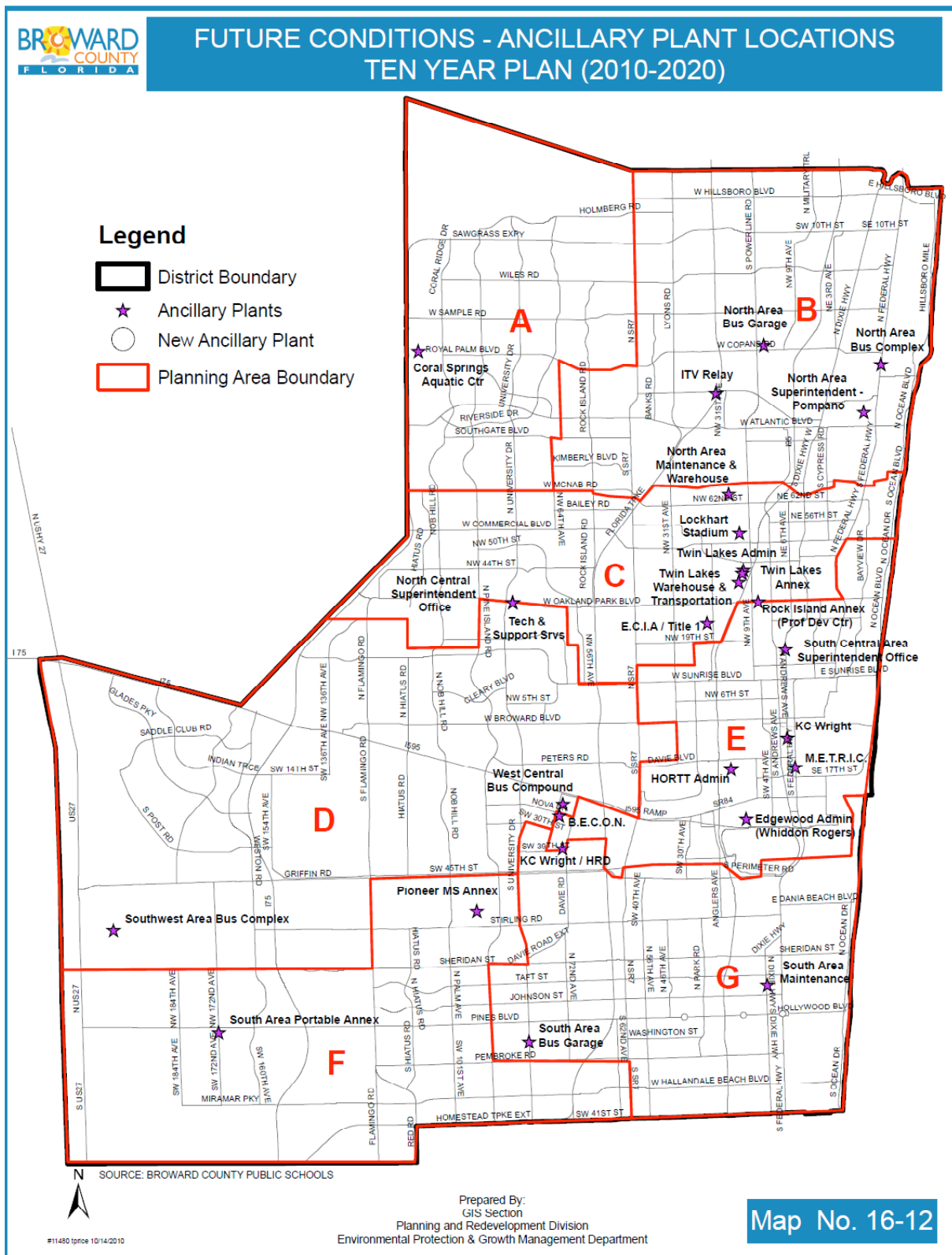


SOURCE: BROWARD COUNTY PUBLIC SCHOOLS

Prepared By:
GIS Section
Planning and Redevelopment Division
Environmental Protection & Growth Management Department

Map No. 16-11

Map - 12



III. Future Land Use Map

Future Land Use

The future pattern of development in the Town of Lauderdale-By-The-Sea has been determined by the pattern of existing land uses, which make up approximately 98% of the total area. The character of the western area of the Town is defined and future land uses should generally fill in the few vacant lots with types of development which are compatible to the surrounding uses.

Development of the commercial area along Commercial Boulevard should continue. Approximately half of the housing and tourist units located in the eastern portion of the Town are nearly forty years old. While redevelopment may occur due to the Town's prime coastal location, alternative means to foster this activity may be explored in greater detail. Irrespective of future redevelopment efforts, the Town Land Use Plan provides for:

Discouraging the conversion of tourist units to condominiums;

Encouraging quality commercial development along Commercial Boulevard; and

Protecting its single-family neighborhoods.

The Future Land Use Plan is provided on Figure 1 (see back cover insert of the document). The acreage for the various land use categories by Planning Area and Town-wide are provided in the supporting documentation. The population projections resulting from various build-out scenarios of the Land Use Plan are also discussed in the Housing support documentation.

Relationship to Broward County Land Use Plan

State Planning Acts specify that in Chartered Counties, the planning responsibilities between the County and its municipalities shall be as stipulated in the Charter. The Broward County Charter stipulates that the County Land Use Plan is the effective Land Use Plan until such time as a municipality has its Land Use Plan certified as being in “substantial conformity” with the County Plan. The Future Land Use Element of this Comprehensive Plan has been prepared for submission to the Broward County Planning Council for Certification.

Since Lauderdale-By-The-Sea lies within Flexibility Zones #39 and #24 of the Broward County Land Use Plan, The Town has flexibility in rearranging land uses and redistributing residential densities while remaining in conformance with the County Plan. A statistical comparison between Lauderdale-by-the- Sea and Broward County Land Use Plan is provided in Table 4-5, in the supporting documentation. The Land Use Plan also includes, by reference, Right-of-Way provisions in the Transportation Element which the Town will maintain consistent with the Broward County Trafficways Plan.

IV. Land Use Implementation

A major thrust of the Town Comprehensive Plan is to receive certification of the Land Use Plan by the Broward County Planning Council. In order to be considered for certification, a local land use plan should include the following items:

A Land Use Plan Map

Goals, Objectives and Policies consistent with and furthering those contained within the Broward County Land Use Plan.

Implementation Provisions which establish a land use and density classification system including a detailed listing of permitted land uses and densities allowed within each land use classification.

Provisions for fulfilling the requirements for local Park and Open Space acreage.

This portion of the adopted Plan provides the land use implementation provisions required for Broward County Land Use Plan certification.

LAND USE IMPLEMENTATION

Section 1. Definitions

"Accessory use" shall mean a use naturally and customarily incidental, subservient or subordinate to the principal use.

"Accommodations" means any apartment, condominium or cooperative unit, cabin, lodge, hotel or motel room, campground, or other private or commercial structure which is situated on real property and designed for occupancy or use by one or more individuals.

"Administration Commission" means the Governor and the Cabinet of the State of Florida.

"Administrative Rules Document" means a publication containing rules, guidelines, procedures, and methodologies reviewed, revised, adopted and amended by the Broward County Planning Council and Board of County Commissioners for the purpose of providing assistance and guidance to local governmental entities and providing direction to Council staff in implementing the Broward County Land Use Plan.

"Affected Persons" includes the affected local government; persons owning property, residing, or owning or operating a business within the boundaries of the local government whose plan is the subject of the review; and adjoining local governments that can demonstrate that adoption of the plan as proposed would produce substantial impacts on the increased need for publicly funded infrastructure or substantial impacts on areas designated for protection or special treatment within their jurisdictions. Each person, other than an adjoining local government, in order to qualify under this definition, shall also have submitted oral or written objections during the local government review and adoption proceedings.

"Affordable Housing" means housing for which monthly rents or monthly mortgage payments (including taxes and insurance) do not exceed 30 percent of an amount representing the percentage (very low = 50%; low = 80%; moderate = 120%) of the median income limits adjusted for family size for the households.

"Agricultural Uses" means activities within land areas which are predominantly used for the cultivation of crops and livestock including: cropland; pastureland; orchards; vineyards; nurseries; ornamental horticulture areas; groves; confined feeding operations; specialty farms; and silviculture areas.

"Airport Clear Zone" means a designated area of land which is subject to peak aircraft noise and on which there is the highest potential of danger from airport operations.

"Airport Facility" means any area of land or water improved, maintained or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, or other airport facilities or rights-of-way.

"Airport Obstruction" means any structure, object of natural growth, existing condition or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increases the risk of danger to aircraft operations.

"Alley" means a right-of-way providing a secondary means of access and service to abutting property.

"Amendment" means any change to an adopted comprehensive plan, except corrections, updates and modifications of the capital improvements element concerning costs, revenue services, acceptance of facilities or facility construction dates consistent with the plan as provided in Subsection 163.3177(3)(b), Florida Statutes, and corrections, updates or modifications of current costs in other elements, as provided in Section 163.3187(2) Florida Statutes.

"Annexation" means the adding of real property to the boundaries of an incorporated municipality, such addition making such real property in every way a part of the municipality.

"Aquatic Vegetation" means a plant characteristically growing wholly or partly submerged in water.

"Area or Area of Jurisdiction" means the total area of Broward County including all of the lands lying within the limits of an incorporated municipality, and the unincorporated lands within the county.

"Areas Subject to Coastal Flooding" see "hurricane vulnerability zone".

"Arterial Road" means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.

"Beach" means the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to line of permanent vegetation, usually the effective

limit of storm waves. "Beach", as used in the coastal management element requirements, is limited to oceanic and estuarine shorelines.

"Bicycle and Pedestrian Ways" means any road, path or way which is open to bicycle travel and traffic afoot and from which motor vehicles are excluded.

"Broward County Coastal Area" means the land and water eastward of U.S. Highway 1 to the Atlantic Ocean.

"Broward County Coastal High Hazard Area" means the land and water area below the elevation of the Category 1 Storm Surge Line as established by the Sea, Lake and Overland Surges from Hurricanes (SLOSH) computerized storm surge model.

"Broward County Land Use Plan" means the future land use plan element for all of Broward County adopted by the Broward County Commission in conformance with the requirements of the Broward County Charter and the Local Government Comprehensive Planning and Land Development Regulation Act.

"Broward County Trafficways Plan" means the plan promulgated by the Broward County Planning Council pursuant to Chapter 59-1154, Laws of Florida, as amended, and the Broward County Charter, which depicts a network of trafficways for Broward County (also known as the Broward County Planning Council Trafficways Plan).

"Building" means any structure having a roof and used or built for the shelter or enclosure of persons, animals, chattels, or property of any kind.

"Building Permit" means:

- (1) Any permit for the erection or construction of a new building required by Section 301.1 of the Florida Building Code, 1984, Broward Edition, as amended.
- (2) Any permit for an addition to an existing building which would:
 - (a) create one or more dwelling units, or
 - (b) involve a change in the occupancy of a building as described in section 104.7 of the Florida Building Code, 1984, Broward Edition, as amended.
- (3) Any permit which would be required for the nonresidential operations included in Section 301.1(a) of the Florida Building Code, 1984, Broward Edition, as amended.

"Capital Budget" means the portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.

"Capital Improvement" means physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purpose of this rule, physical assets which have been identified as existing or projected needs in the individual comprehensive plan elements shall be considered capital improvements.

"Certified Land Use Plan" means the Town of Lauderdale-By-The-Sea land use plan which has been certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan and which has been adopted by the Town in conformance with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

"Coastal Construction Control Line" means the line established by the Florida Department of Natural Resources after a determination, through comprehensive engineering study and topographic survey, that the establishment of such control line is necessary for the protection of upland properties and the control of beach erosion, pursuant to Section 161.053, Florida Statutes.

"Collector Road" means a roadway providing service which is of relatively moderate traffic volume, moderate trip length, and moderate operating speed. Collector roads collect and distribute traffic between local roads or arterial roads.

"Commercial Uses" means activities within land areas which are predominantly connected with the sale, rental and distribution of products, or performance of services.

"Community Cultural Facility" means a facility that is readily accessible to all segments of the community for cultural activities (performing, visual and literary arts). The center should include classroom and workshop space, exhibit and performance space and cultural programming by professional artists for all age groups.

"Community Park" means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by local government entities to meet the community level parks requirement of the Broward County Land Use Plan.

"Community Shopping Center" means a shopping center which typically ranges from approximately 100,000 to 300,000 square feet of gross leasable area and is generally built around a junior department store or variety store and

supermarket as the major tenants. Community shopping centers typically range in area from approximately 10 acres to 30 acres and serve trade areas ranging from roughly 40,000 people to 150,000 people.

"Comprehensive Plan" means a plan that meets the requirements of ss 163.3177 and 163.3178, Florida Statutes.

"Concurrency" means public facilities and services needed to support development shall be available consistent with concurrency requirements as per Section 163.3180 Florida Statutes (1983).

"Concurrency Management System" means the provisions in the local government comprehensive plan including implementation regulations, encompassing the restrictions, methods, resources, timing and solutions intended to be compatible with and further compliance with the statutory requirement to provide public facilities and services needed to support development consistent with concurrency requirements and Section 163.3180 Florida Statutes (1993).

"Cone of Influence" (Zone of Influence) means an area around one or more major waterwells the boundary of which is determined by the government agency having specific statutory authority to make such a determination based on ground water travel or drawdown depth.

"Conservation Uses" means activities within land areas designated for the purpose of conserving or protecting natural resources or environmental quality and includes areas designated for such purposes as flood control, protection of quality or quantity of groundwater or surface water, floodplain management, fisheries management, or protection of vegetative communities or wildlife habitats.

"Consistent" means compatible with and furthers. "Compatible with" means not in conflict with. "Furthers" means to take action in the direction of realizing the goals and policies. As applied to the local plan, a local plan shall be consistent with the state plan and the regional plan.

"Contiguous" means in close proximity, touching or adjacent.

"Contraction" means the reversion of real property within municipality boundaries to an unincorporated status.

"County Commission" means the Board of County Commissioners of Broward County, Florida.

"County Land Planning Agency" means the agency designated to prepare the comprehensive plan for the County or in case of Chartered Counties, the agency

which has the planning responsibility between the County and the municipalities as stipulated in the Charter.

"County Land Use Plan" means the Broward County Land Use Plan adopted by the County Commission on November 9, 1977.

"Dashed-Line Area" means an area on the Future Broward County Land Use Plan Map (Series) bordered by a dashed line and designated as having a particular maximum overall density of dwelling units for all land and land uses within the area, and/or a particular total number of dwelling units permitted within the area.

"DeepWater Ports" as defined in Rule 9J-5, including Port Everglades.

"Designated Redevelopment Area" means those areas depicted within the Future Broward County Land Use Plan Map (Series) which have been determined to be redevelopment areas by the Broward County Board of County Commissioners. Criteria for designated redevelopment areas are contained within Section IV.D. of the Broward County Land Use Plan. Policies which encourage redevelopment within designated redevelopment areas are located under Objective 14.03.00 of the Broward County Land Use Plan.

"Developer" means any person, including a governmental agency, undertaking development.

"Development" means:

- (1) The carrying out of any building activity or mining operation, the making of any material change in the use of appearance of any structure or land, or the dividing of land into two or more parcels.
- (2) The following activities or uses shall be taken for the purposes of this section to involve "development," as defined herein:
 - (a) A reconstruction, alteration of the size or material change in the external appearance of a structure or land.
 - (b) A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
 - (c) Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal constructure" as defined in ss.161.021.

- (d) Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
 - (e) Demolition of a structure.
 - (f) Clearing of land as an adjunct of construction.
 - (g) Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
- (3) The following operations or uses shall not be taken for the purpose of this section to involve "development" as defined herein:
- (a) Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad tract, if the work is carried out on land within the boundaries or the right-of-way.
 - (b) Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purposes of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, powerlines, towers, poles, tracks, or the like.
 - (c) Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.
 - (d) The use of any structure or land devoted to dwelling uses or any purpose customarily incidental to enjoyment of the dwelling.
 - (e) The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forestry products; raising livestock; or for other agricultural purposes.
 - (f) A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.
 - (g) A change in the ownership or form of ownership of any parcel or structure.
 - (h) The creation or termination of rights of access, reparation rights, easements, covenants concerning development of land, or other rights in land.
- (4) "Development," as designated in an ordinance, rule, or development rule includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing to the result of development. Reference to any specific operation is not intended to mean that the operation or

activity, when part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of subsection (1).

"Development Order" means any order granting, denying, or granting with conditions an application for a development permit.

"Development Permit" includes any building permit, zoning permit, plat approval, or rezoning, certification, variance, or other action having the effect of permitting development.

"Downtown Development Authority" means a local governmental agency established under part III of Chapter 163 or created with similar powers and responsibilities by special act for the purpose of planning, coordinating, and assisting in the implementation, revitalization, and redevelopment of a specific downtown area of a city or town.

"Downtown Revitalization" means the physical and economic renewal of a central business district of a community as designated by local government, and includes both downtown development and redevelopment.

"Drainage Basin" means the area defined by topographic boundaries which contributes stormwater to a drainage system, estuarine waters, or oceanic waters, including all areas artificially added to the basin.

"Drainage Facilities" means a system of man-made structures designed to collect, convey, hold, divert or discharge stormwater, and includes stormwater sewers, canals, detention structures, and retention structures.

"Dune" means a mound or ridge of loose sediments, usually sand-sized sediments, lying landward of the beach and extending inland to the landward toe of the dune which intercepts the 100-year storm surge.

"Dwelling Unit" means a house, apartment, or condominium unit, trailer, group of rooms, or a single room intended for occupancy as separate living quarters with direct access from the outside of the building or through a common hall and with complete kitchen facilities for the exclusive use of the occupants, including the rental units contained in a multi-unit structure or complex which are licensed by the State Department of Business Regulation, Division of Hotels and Restaurants, as "apartments", "rental condominiums" and "retirement housing" or live-aboard vessels located in multi-family "Residential" designated areas which are required to hookup to marine sanitation systems.

"Easement" means any strip of land created by a subdivider for public or private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

"Ecological Community" means a distinctive combination of two or more ecologically related species, living together and interacting with each other in a characteristic natural habitat.

"Educational Uses" means activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education, including the areas of buildings, campus open space, dormitories, recreational facilities or parking.

"Enhancement" shall mean the alteration of an existing wetland to increase the functional value.

"Electrical Power Plant" means an electrical generating facility where electricity is produced for the purpose of supplying twenty-five mega watts (MW) or more to utility power systems.

"Enhancement" shall mean the alteration of an existing wetland to increase the fundamental value.

"Environmentally Sensitive Land" means those areas containing Natural Resources, as depicted in the Natural Resource Map Series of the Broward County Land use Plan, which have been determined to be environmentally sensitive by the Broward County Board of County Commissioners. The criteria for designation of Environmentally Sensitive Land are contained within the Plan Implementation section of the Broward County Land Use Plan. Policies which ensure the protection of Environmentally Sensitive Lands, consistent with the requirements of Section 163.3202 Florida Statutes, are located under Objective 9.01.00 of the Broward County Land Use Plan.

"Estuary" means a semi-enclosed, naturally existing coastal body of water in which saltwater is naturally diluted by freshwater and which has an open connection with oceanic waters. "Estuaries" include bays, embayments, lagoons, sounds and tidal streams.

"Evacuation Routes" means routes designated by county civil defense authorities or the regional evacuation plan, for the movement of persons to safety, in the event of a hurricane.

"Existing Urban Service Area" means built-up areas where public facilities and services such as sewage treatment systems, roads, schools, and recreation areas are already in place.

"Fabrication and Assembly" means the manufacturing from standardized parts of a distinct object differing from the individual components involving materials

with form and substance (as opposed to liquid or gas), with a physical, as opposed to chemical, mating or joining of the individual parts.

"Flexibility Zone" means a geographic area, as delineated on the flexibility zone boundary maps in the Administrative Rules Document of the Broward County Planning Council, within which residential densities and land uses may be redistributed through the plan certification process.

"Floodplains" means areas inundated during an identified flood event or identified by the National Flood Insurance Program as an A Zone or V Zone on Flood Insurance Rate Maps or Flood Hazard Boundary Maps.

"Floor Area" generally means the total square footage of all floors measured to the outside surface of the building or portion of the building. This may include hallways, stairways, elevators, storage and mechanical rooms whether internal or external to the structure. Floor area may also be limited to what is considered leasable space. The specific definitions are determined by local government land use plans and local development regulations.

"Floor Area Ratio (FAR)" means the square footage of the floor area of a building divided by square footage of the lot (net site area) on which the building is located.

"Freshwater Marsh" means a wetland having more than 25 percent vegetative cover by terrestrial herbs but 40 percent or less cover by woody plants, occasionally or regularly flooded by fresh water (e.g., sawgrass).

"Freshwater Swamp" means a wetland having more than 40 percent cover by woody plants and that is occasionally or regularly flooded by freshwater (e.g., cypress swamp).

"Future Broward County Land Use Plan Map (Series)" means the series of maps adopted by the Broward County Board of County Commissioners as part of the Broward County Land Use Plan. These include the Broward County Land Use Plan Map, Historic District and Historically Significant Properties Map, Natural Resources Map Series-Eastern Broward County and Natural Resources Map Series-Western Broward County.

"Goal" means the long term end toward which programs and activities are ultimately directed.

"Governing Body" means the Town Commission of Lauderdale-By-The-Sea, Florida.

"Governmental Agency" means:

- (1) The United States or any department, commission, agency, or other instrumentality thereof;
- (2) The State of Florida or any department, commission, agency, or other instrumentality thereof;
- (3) Any local government, or any department, commission, agency, or other instrumentality thereof;
- (4) Any school board or other special district, authority, or other governmental entity.

"Gross Acre" means the total number of acres within a parcel of land.

"Gross Density" means the number of dwelling units constructed or proposed to be constructed within a parcel of land, divided by the gross acreage of the parcel of land. In determining the gross acreage of the parcel, the area encompassed by an extension of the parcel's boundaries to the centerline of adjacent public right-of-ways such as streets, roadways, alleys, canals and waterways (exclusive of expressways and the primary drainage system) can be added to the parcel area.

"Group Home" means a facility which provides a living environment for unrelated residents who operate as the functional equivalent of a family, including such supervision and care as may be necessary to meet the physical, emotional and social needs of the residents. Adult Congregate Living Facilities comparable in size to group homes are included in this definition. It shall not include rooming or boarding homes, clubs, fraternities, sororities, monasteries or convents, hotels, residential treatment facilities, nursing homes, or emergency shelters.

"Hammock" means a dense growth of broad-leaved trees on a slight elevation, not considered wet enough to be a swamp.

"Hardwood" means a broad-leaved angiosperm (flowering plant) tree having wood characterized by the presence of specialized cells called vessels.

"Hazardous Liquid Pipeline" means a pipeline, a right-of-way, or a facility, used or intended to be used in transporting petroleum or petroleum products.

"Hazardous Waste" means solid waste, or combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated or otherwise managed.

"Historic Resources" means all areas, districts or sites containing properties listed on the Florida Master Site File, the National Register of Historic Places, or designated by a local government as historically, architecturally, or archaeologically significant.

"Hurricane Shelter" means a structure designated by local officials as a place of safe refuge during a storm or hurricane.

"Hurricane Vulnerability Zone" (also "areas subject to coastal flooding") means the areas delineated by the regional or local hurricane evacuation plan as requiring evacuation. The hurricane vulnerability zone shall include areas requiring evacuation in the event of a 100-year storm or Category 3 storm event.

"Improvements" may include, but are not limited to street pavements, curbs and gutters, sidewalks, alley pavements, walkway pavements, water mains, sanitary sewers, storm sewers or drains, street names, signs, landscaping, permanent reference monuments, permanent control points, or any other improvement required by a governing body.

"Industrial Uses" means the activities within land areas predominantly connected with manufacturing, assembly, processing, or storage of products.

"Infrastructure" means those man-made structures which serve the common needs of the population, such as; sewage disposal systems; potable water systems; potable water wells serving a system; solid waste disposal sites or retention areas; stormwater systems; utilities; piers; docks; wharves; breakwaters; bulkheads; seawalls; bullwarks; revetments; causeways; marinas; navigation channels; bridges; and roadways.

"Lake" means a natural depression fed by one or more streams and from which a stream may flow; occurs due to widening or natural blockage of a river or stream or occurs in an isolated natural depression that is not part of a surface river or stream; usually too deep to permit the growth of rooted plants from shore to shore.

"Land" means the earth, water, and air, above, below, or on the surface, and includes any improvements or structures customarily regarded as land.

"Land Development Code" means various types of regulations relating to development within the Town when combined in a single document.

"Land Development Regulation" means ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, or sign regulations or any other regulations controlling the development of land.

"Land Development Regulation Commission" means a commission designated by a local government to develop and recommend, to the local governing body,

land development regulations which implement the adopted comprehensive plan and to review land development regulations, or amendments thereto, for consistency with the adopted plan and report to the governing body regarding its findings. The responsibilities of the land development regulation commission may be performed by the Local Planning Agency.

"Land Use" means the development that has occurred on the land, the development that is proposed by a developer on the land, or the use that is permitted or permissible on the land under an adopted comprehensive plan or element or portion thereof, land development regulations, or a land development code, as the context may indicate.

"Land Use Plan" means the Land Use Plan for the Town of Lauderdale-By-The-Sea, Florida, adopted as the Future Land Use Plan Element of the Local Government Comprehensive Planning and Land Development Regulation, Section 163.3161, et. seq., Florida Statutes, and certified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan pursuant to Article VI of the Broward County Charter.

"Level of Service" means an indicator of the extent or degree of service provided by, or proposed to be provided by a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility.

"Light Manufacturing" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

"Limited Access Facility" means a roadway especially designed for through traffic, and over, from, or to which owners or occupants of abutting land or other persons have no greater than a limited right or easement of access.

"Littoral" means that portion of a body of water extending from shoreline toward the middle of the water to the limit of occupancy by rooted plants.

"Live-Aboard Vessel" means any vessel which is a habitable vessel on which habitation is occurring and which is used as a person's primary legal residence or temporary or seasonal residence even though it is not used solely as a residence but is also used for other purposes. A person's primary legal residence is a vessel where a person is presently living with the present intention of making it his or her permanent abode. A temporary or seasonal residence means habitation aboard a floating home or a vessel occupied by one (1) or more persons, while the home or vessel is moored or docked. Habitable vessel means a vessel that is equipped with an on-board toilet. The term live-aboard vessel shall not include commercial fishing boats. Nothing within this definition shall

be construed to prohibit or regulate the anchorage of non-live-aboard vessels engaged in the exercise of rights of navigation.

"Local Area of Particular Concern" means an area designated on the Natural Resource Map Series of the Broward County Land Use Plan which has been declared to be environmentally sensitive. Those areas are subject to environmental impact report provisions of the Broward County Land Development Code and policies under Objective 9.01.00. The criteria for Local Areas of Particular Concern are contained in the Plan Implementation Requirements section of the Broward County Land Use Plan.

"Local Comprehensive Plan" means any or all local comprehensive plans or elements or portions thereof prepared, adopted, or amended pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act.

"Local Government Entity" means a unit of government or any officially designated public agency or authority of a unit of government with less than statewide jurisdiction, or any officially designated public agency or authority of such a governmental entity. The term includes a county, an incorporated municipality, a consolidated city-county government, a metropolitan planning organization, an expressway or transportation authority, a turnpike project, a regional planning council, or a school board or other special district.

"Local Planning Agency" means the agency designated to prepare the comprehensive plan required by ch.163, Florida Statutes.

"Local Road" means a roadway providing service which is of relatively low traffic volume, short average trip length or minimal through traffic movements, and high volume land access for abutting property.

"Lot" includes tract or parcel - means the least fractional part of subdivided lands having limited fixed boundaries, and an assigned number, letter, or other name through which it may be identified.

"Lot or Parcel of Record" means a quantity of real property as a single unit described and identified in a deed and/or plat recorded in the public records of a county in the State of Florida.

"Low Income Families" means "lower income families" as defined under the Section 8 Assisted Housing Program, or families whose annual income does not exceed 80 percent of the median income for the area. The term "families" includes "households."

"Low-Income Person" means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 80 percent of the median annual income adjusted for

family size for the county. Whole occupying a rental unit, a Low Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 80 percent of the applicable median income adjusted for family size.

"Major Trip Generators or Attractors" means concentrated areas of intense land use or activity that produces or attracts a significant number of local trip ends.

"Marine Habitat" means areas where living marine resources naturally occur, such as mangroves, seagrass beds, algae beds, salt marshes, transitional wetlands, marine wetlands, rocky shore communities, hard bottom communities, oyster bars or flats, mud flats, coral reefs, worm reefs, artificial reefs, offshore springs, nearshore mineral deposits, and offshore sand deposits.

"Marine Resources" means living oceanic or estuarine plants or animals, such as mangroves, seagrasses, algae, coral reefs, and living marine habitat; fish, shellfish, crustacea and fisheries; and sea turtles and marine mammals.

"Marine Wetlands" means areas with a water regime determined primarily by tides and the dominant vegetation is salt tolerant plant species including those species listed in Subsection 17-4.02(17), Florida Administrative Code, "Submerged Marine Species."

"Mass Transit" means passenger services provided by public, private or non-profit entities such as the following surface transit modes: commuter rail, rail rapid transit, light rail transit, light guideway transit, express bus, and local fixed route bus.

"Mean High Water" means the average height of the high waters over a 19-year period. For shorter periods of observation, "mean high water" means the average height of the high waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of mean 19-year value.

"Mean High Water Line" means the intersection of the tidal plane of mean high water with the shore.

"Mean Low Water" means the average height of the low waters over a 19-year period. For shorter periods of observation, "mean low water" means the average height of low waters after corrections are applied to eliminate known variations and to reduce the result to the equivalent of mean 19-year value.

"Mean Low Water Line" means the intersection of the tidal plane of mean low water with the shore.

"Minerals" means all solid minerals, including clay, gravel, phosphate rock, lime, shells (excluding live shellfish), stone, sand, heavy minerals, and any rare earths, which are contained in the soils or waters of the state.

"Minimization" shall mean to reduce the wetland impacts of development by considering all aspects of a proposed development so that wetland impacts are reduced to the smallest possible amount, extent, size or degree consistent with Article XI, Chapter 27-335 of the Broward County Code of Ordinances enacted December 18, 1990.

"Mining" means the removal of minerals from their site, solely for commercial purposes which may include crushing, batching, mixing and forming of mined materials.

"Mobile Home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, and which is built on a metal frame and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained herein. If fabricated after June 15, 1976, each section bears a U.S. Department of Housing and Urban Development label certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standards.

"Moderate-Income Person" means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 120 percent of the median annual income adjusted for family size for households within the county. While occupying a rental unit, a Moderate Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 120 percent of the applicable median income adjusted for family size.

"Municipality" means any incorporated city, town, or village.

"Native Vegetative Communities" means those areas which contain ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, native vegetation and animals.

"Natural Drainage Features" means the naturally occurring features of an area which accommodate the flow of stormwater, such as streams, rivers, lakes and wetlands.

"Natural Reservations" means areas designated for conservation purposes, and operated by contractual agreement with or managed by a federal, state, regional or local government or non-profit agency such as: national parks, state parks, lands purchased under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historic sites, wildlife management areas, national seashores, and Outstanding Florida Waters.

"Natural Resources" means those natural resources identified in Section 9J-5.006(4)(b) Florida Administrative Code: existing and planned waterwells and cones of influence; beaches and shores, including estuarine systems; rivers, bays, lakes, floodplains, and harbors; wetlands; minerals and soils.

"Neighborhood Park" means a park which serves the population of a neighborhood and is generally accessible by bicycle or pedestrian ways.

"Neighborhood Shopping Center" means a shopping center typically ranging from 30,000 to 100,000 square feet of gross leasable area for the sale of convenience goods (food, drugs and sundries) and personal services which meet the daily needs of an immediate neighborhood. Neighborhood shopping centers range in area from approximately 3 acres to 10 acres and generally require a minimum market support population ranging from 2,500 to 40,000 people.

"Net Site Area" means the entire acreage of the site located inside the parcel boundary.

"Newspaper of General Circulation" means a newspaper published at least on a weekly basis and printed in the language most commonly spoken in the area within which it circulates, but does not include a newspaper intended primarily for members of a particular professional or occupational group, a newspaper whose primary function is to carry legal notices, or a newspaper that is given away primarily to distribute advertising.

"Nonpoint Source Pollution" means any source of water pollution that is not a point source.

"Objective" means a specific, measurable, intermediate end that is achievable and marks progress towards a goal.

"Ocean Waters" means waters of the Atlantic Ocean, Gulf of Mexico, or Straits of Florida, but does not include bays, lagoons, or harbors.

"Open Spaces" means undeveloped lands suitable for passive recreation or conservation uses.

"Parcel of Land" means any quantity of land capable of being described with such definiteness that its location and boundaries may be established which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

"Park" means a community, or regional park.

"Parties Affected" means any persons or firms owning property in, or residing in, either a municipality proposing annexation or contraction or owning property that is proposed for annexation to a municipality or any governmental unit with jurisdiction over such area.

"Peat" means a dark-brown or black substrate produced by the partial decomposition and disintegration of mosses, sedges, trees and other plants growing in areas of its deposition; peat characteristically is deposited in certain wetland types.

"Person" means an individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any other legal entity.

"Planning Act" means the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 et. seq., Florida Statutes.

"Planning Council" means the Broward County Planning Council.

"Plat" means a map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirement of all applicable sections of this chapter and of any local ordinances, and may include the terms "replat", "amended Plat", or "revised Plat."

"Playground" means a recreation area with play apparatus.

"Point Source Pollution" means any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Policy" means the way in which programs and activities are conducted to achieve an identified goal.

"Pollution" is the presence in the outdoor atmosphere, ground or water of any substances, contaminants, noise, or manmade or man-induced alteration of the chemical, physical, biological, or radiological integrity of air or water, in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property, or unreasonably interfere with the enjoyment of life or property.

"Pond" means a small, quiet body of standing water, usually sufficiently shallow to permit the potential growth of rooted plants from shore to shore.

"Port Facility" means harbor or shipping improvements used predominantly for commercial purposes including channels, turning basins, jetties, breakwaters, landings, wharves, docks, markets, structures, buildings, piers, storage facilities, plazas, anchorages, utilities, bridges, tunnels, roads, causeways, and all other

property or facilities necessary or useful in connection with commercial shipping.

"Potable Water Facilities" means a system of structures designed to collect, treat, or distribute potable water, and includes water wells, treatment plants, reservoirs, and distribution mains.

"Principal Building" means a building which is occupied by, or devoted to, a principal use or an addition to an existing principal building which is larger than the original existing building. In determining whether a building is of primary importance, the use of the entire parcel shall be considered. There may be more than one principal building on a parcel.

"Principal Use" means the primary or main use of a parcel of land as distinguished from an accessory use. There may be more than one principal or main use on a parcel of land.

"Private Recreation Sites" means sites owned by private, commercial or non-profit entities available to the public for purposes of recreational use.

"Protected Potable Water System" means a community water supply which has been given a consumptive use permit by the South Florida Water Management District and which is protected by the Broward County wellfield protection program.

"Public Access" means the ability of the public to physically reach, enter or use recreation sites including beaches and shores.

"Public Building and Grounds" means structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, hospitals, libraries, police stations, fire stations, and government administration buildings.

"Public Facilities" means major capital improvements, including, but not limited to, transportation, sanitation, solid waste, drainage, potable water, educational, parks and recreational, and health systems and facilities.

"Public Notice or Due Public Notice" as used in connection with the phrase "public hearing" or "hearing to be held after due public notice" means publication of notice of the time, place, and purpose of such hearing in a newspaper of general circulation in the area not less than 7 days prior to the date of the hearing.

"Public Recreation Sites" means sites owned or leased on a long-term basis by a federal, state, regional or local government agency for purposes of recreational use.

"Public Utility" includes any public or private utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.

"Recertification" means a local land use plan which has previously been certified by the Broward County Planning Council, but because of amendments, decertification, or amendment to the Broward County Land Use Plan, is no longer in conformity, and must be recertified by the Broward County Planning Council as being in substantial conformity with the Broward County Land Use Plan.

"Recreation" means the pursuit of leisure time activities occurring in an indoor or outdoor setting.

"Recreation Facility" means a component of a recreation site used by the public such as a trail, court, athletic field or swimming pool.

"Recreational Uses" means activities within areas where recreation occurs.

"Recreational Vehicle Park" means a place set aside and offered by a person or public body, for either direct or indirect remuneration of the owners, lessor or operator of such place, for the parking and accommodation of six or more recreational vehicles (as defined in Section 320.01(1)(b) Florida Statutes) or tents utilized for sleeping or eating; and the term also includes buildings and sites set aside for group camping and similar recreational facilities.

"Regional Park" means acreage listed in the "Community and Regional Parks" subsection of the Plan Implementation Requirements Section of the Broward County Land Use Plan that is utilized by the Broward County Board of County Commissioners to meet the regional level parks requirement of the Broward County Land Use Plan.

"Regional Plan for South Florida" means the plan prepared and adopted by the South Florida Regional Planning Council, pursuant to the provisions of Section 185.507 Florida Statutes governing comprehensive regional policy plans.

"Regional Planning Agency" means the regional planning council created pursuant to ss. 186.501-186.515 to exercise responsibilities under ss.186.001-186.031 and 186.801-186.911 in a particular region of the state.

"Regional Roadway Network" means the roads contained within the Broward County Metropolitan Planning Organization's adopted Year 2015 Highway Network, except for those roads functionally classified as city or town collector roads.

"Regional Shopping Center" means a shopping center which typically ranges from approximately 300,000 square feet to 1,000,000 square feet or more of

gross leasable area and provides a full range of shopping goods, general merchandise, apparel, furniture and home furnishings. Such center is usually built around a full-line department store as the major drawing power. Regional shopping centers are approximately 30 acres in size or larger and generally require a minimum market support population in excess of 150,000 people and a trade area extending 10 to 15 miles or more modified by such factors as competitive facilities and travel time over access highways.

"Regulated Plant Index" means the total number of species native to the State of Florida that are listed as commercially exploited plants, endangered plants, and threatened plants.

"Remnant Natural River" means a naturally occurring watercourse or riverine system, or a portion or segment thereof, whose channel has remained unaltered over time as evidenced by historical surveys or other appropriate documentation. Examples of remnant natural rivers in Broward County include portions of the following: South Fork of the Middle River, North Fork of the New River, New River, Tarpon Creek, South Fork of the New River and Whiskey Creek.

"Resident Population" means inhabitants counted in the same manner utilized by the United States Bureau of the Census, in the category of total population. Resident population does not include seasonal population.

"Residential Uses" means activities within land areas used predominantly for housing.

"Resource Planning and Management Committee" means a committee appointed pursuant to s. 380.045, Florida Statutes.

"Retail Shopping Area" means a miscellaneous collection of individual stores which stand on separate lot parcels along streets and highways or which are clustered as a concentrated business district, with or without incidental off-street parking (as distinguished from a shopping center).

"Research Laboratory" means an establishment or other facility for carrying on investigation in the natural, physical, or social sciences, which may include engineering and product development.

"Revetment" means a facing of resistant material such as stone or concrete that is built to protect a scarp, embankment, or other shoreline feature against erosion.

"Right-of-Way" means land dedicated, deeded, used, or to be used for a street, alley, walkway, boulevard, drainage facility, access or ingress, or other purpose by the public, certain designated individuals, or governing bodies.

"Roadway Capacity" means the maximum volume of traffic which can be accommodated on a roadway at a given level of service.

"Roadway Functional Classification" means the assignment of roads into categories according to the character of service they provide in relation to the total road network. Basic functional categories include limited access facilities, arterial roads, and collector roads, which may be subcategorized into principal, major or minor levels. Those levels may be further grouped into urban and rural categories.

"Rural Character" means an area that is characterized by natural, agricultural, equestrian, pastoral or rustic uses.

"Rural Purposes" means that land which is used as a resource for agricultural, equestrian, managed forests or mining uses, or maintained in a natural state as wetlands, fields or forests.

"Saltwater Marsh" means a wetland having saline (including brackish) soils with 40 percent or less cover by woody plants and 25 percent or more cover by terrestrial herbs that is occasionally or regularly flooded by brackish or saline water (e.g., smooth cordgrass marshes).

"Saltwater Swamp" means a wetland having saline (including brackish) soils with 40 percent or more cover by woody plants and occasionally or regularly flooded by brackish or saline water (e.g., mangrove swamps).

"Sanitary Sewer Facilities" means structures or systems designed for the collection, transmission, treatment, or disposal of sewage and includes trunk mains, interceptors, treatment plants and disposal systems.

"Seasonal Population" means part-time inhabitants who utilize, or may be expected to utilize, public facilities or services, but are not residents. Seasonal population shall include tourists, migrant farmworkers, and other short-term and long-term visitors.

"Septic Tank" means an on-site sewage disposal system, consisting of a watertight receptacle constructed to promote separation of solid and liquid components of wastewater, to provide limited digestion of organic matter, to store solids, and to allow clarified liquid to discharge for further treatment and disposal in a soil absorption system.

"Services" means the program and employees determined necessary by local government to provide adequate operation and maintenance of public facilities and infrastructure as well as those educational, health care, social and other programs necessary to support the programs, public facilities, and infrastructure set out in the local plan or required by local, state, or federal law.

"Shopping Center" means a group of architecturally unified commercial establishments built on a site which is planned, developed, owned, and managed as an operating unit related in its location, size, and type of shops to the trade area that the unit serves. The unit provides on-site parking in definite relationship to the types and total size of the stores.

"Shoreline or Shore" means the interface of land and water and, as used in the coastal management element requirements, is limited to oceanic and estuarine interfaces.

"Solid Waste" means sludge from a waste treatment works, water supply treatment plant, or air pollution control facility or garbage, rubbish, refuse, or other discarded material, including solid, liquid, semisolid, or contained gaseous material resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations.

"Solid Waste Facilities" means structures or systems designed for the collection, processing, or disposal of solid wastes, including hazardous wastes and includes transfer stations, processing plants, recycling plants, and disposal systems.

"Solid Waste Processing Plant" means a facility for incineration, resource recovery, or recycling of solid waste prior to its final disposal.

"State Comprehensive Plan" means the goals and policies contained within the state comprehensive plan, s. 187.201, F.S.

"State Land Planning Agency" means the Department of Community Affairs & may be referred to in this part as "DCA".

"Stormwater" means the flow of water which results from a rainfall event.

"Stream" means any mass of water with an undirectional flow.

"Street" includes any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, and also includes all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved, but shall not include those access ways such as easements and rights-of-way intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

"Structure" means anything constructed, installed or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently. "Structure" also includes fences, billboards, swimming pools, poles, pipelines, transmission lines, tracks, and advertising signs.

"Subdivision" means the platting of real property into two or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land, and includes establishment of new streets and alleys, additions, and resubdivisions and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

"Substantial Conformity" refers to the Broward County Charter requirement contained in Article VI, Section 6.05 , Paragraphs D&E that local governmental future land use plans shall be materially and pertinently compatible with and further the Broward County Land Use Plan in order to be certified or recertified.

"Support Documents" means any surveys, studies, inventory maps, data, inventories, listings or analyses used as bases for or in developing the local comprehensive plan.

"Surface Waters" means lakes or ponds excavated to generate fill material for a development and/or to provide recreational and aesthetic amenities. Other water upon the surface of the earth, contained in bounds created naturally or diffused, including water from natural springs, is defined as "lake," "pond" or "stream."

"Threatened Species" means any species of fish and wildlife naturally occurring in Florida which may not be in immediate danger of extinction, but which exists in such small populations as to become endangered if it is subjected to increased stress as a result of further modification of its environment.

"Tide" means the periodic rising and falling of the waters of the earth that result from the gravitational attraction of the moon and the sun acting upon the rotating earth.

"Time-Share Period" means that period of time when a purchaser of a time-share plan is entitled to the possession and use of the accommodations or facilities, or both, of a time-share plan.

"Time-Share Plan" means any arrangement, plan, scheme, or similar device, other than an exchange program, whether by membership, agreement, tenancy in common, sale, lease, deed, rental agreement, license, or right-to-use agreement or by any other means, whereby a purchaser, in exchange for a consideration, receives ownership rights in or a right to use accommodations or facilities, or both, for a period of time less than a full year during any given year, but not necessarily for consecutive years, and which extends for a period of more than 3 years.

"Time-Share Property" means one or more time-share units subject to the same time-share instrument, together with any other property or rights to property appurtenant to those units.

"Time-Share Unit" means an accommodation of a time-share plan which is divided into time-share periods.

"Tourist Unit" means a house, an apartment, a group of rooms, or a single room occupied or intended for occupancy as a separate living quarter which is licensed, or intended for license as a "hotel" or "motel" by the State Department of Business Regulation, Division of Hotels and Restaurants.

"Town" means the Town of Lauderdale-By-The-Sea, Florida.

"Urban Character" means an area used intensively for residential, urban recreational, commercial, industrial, institutional, or governmental purposes or an area undergoing development for any of these purposes.

"Urban Infill" means the development of vacant parcels in otherwise built-up areas where public facilities such as sewer systems, roads, schools, and recreation areas are already in place and the average residential density is at least five (5) dwelling units per acre, the average nonresidential intensity is at least a floor area ratio of 1.0 and vacant, developable land does not constitute more than 10 percent of the area.

"Urban Purposes" means that land is used intensively for residential, commercial, industrial, institutional, and governmental purposes, including any parcels of land retained in their natural state or kept free of development as dedicated greenbelt areas.

"Urban Redevelopment" means the demolition and reconstruction or substantial renovation of existing buildings or infrastructure within urban infill or existing urban service areas.

"Urban Services" means services offered by a municipality, either directly or by contract, to any of its present residents.

"Vegetative Communities" means ecological communities, such as coastal strands, oak hammocks, and cypress swamps, which are classified based on the presence of certain soils, vegetation and animals.

"Very Low-Income Person" means one or more natural persons or a family, not including students, that has a total annual anticipated income for the household that does not exceed 50 percent of the median annual income adjusted for family size for households within the county. While occupying a rental unit, a Very Low-Income Person's annual anticipated gross income may increase to an amount not to exceed 140 percent of 50 percent of the applicable median income adjusted for family size.

"Vested Rights" means rights which have so completely and definitely accrued to or settled in a person, to the extent that it is right and equitable that

government should recognize and protect, as being lawful in themselves, and settled according to then current law.

"Water Conservation Area" means designated Conservation areas on the Future Broward County Land Use Plan Map (Series) including reserve water supply areas such as the 790 square miles of Broward County west of Levees 33, 35A, 36, L-37 and L-35 and includes the natural reservations.

"Water Dependent Uses" means activities which can be carried out only on, in or adjacent to water areas because the use requires access to the water body for: waterborne transportation including ports or marinas; recreation; electrical generating facilities; or water supply.

"Water Recharge Areas" means land or water areas through which groundwater is replenished.

"Water-Related Uses" means activities which are not directly dependent upon access to a water body, but which provide goods and services that are directly associated with water-dependent or waterway uses.

"Water Wells" means wells excavated, drilled, dug, or driven for the supply of industrial, agricultural or potable water for general public consumption.

"Wetlands" means those areas that are inundated or saturated by ground or surface water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Section 2. General Requirements

- 2.01 The Land Use Plan shall be implemented by the adoption and enforcement of appropriate land development regulations and no development shall be permitted within the Town's jurisdiction unless the development is consistent with the Land Use Plan.
- 2.02 The Town shall initiate and actively process the adoption of land development regulations, a land development code or amendments thereto, and the rezoning of all parcels of land within the Town's jurisdiction as to permitted uses and densities as may be necessary to comply with the Land Use Plan within a reasonable time after its adoption.
- 2.03 Following the effective date of the Land Use Plan, the Town may not grant a development permit unless:
 - a. The proposed development would be consistent with the Land Use Plan;

- b. The proposed development would be in compliance with applicable Town land development regulations; which are consistent with the Land Use Plan; and
 - c. The development permit is granted in compliance with the requirements of Section 4 of this chapter (Development Review Requirements).
- 2.04 After the effective date of this Plan, the Town shall not grant an application for a building permit for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been approved by the County Commission as of March 1, 1989 and recorded in the official records of Broward County. However, such platting requirement shall not apply to applications for a building permit which meets any of the following criteria:
- (1) construction of one single-family dwelling unit or duplex unit on a lot or parcel which lot or parcel was of record as such in the applicable public records as of the effective date of this Plan;
 - (2) construction on any multi-family or non-residential lot or parcel which is less than five (5) acres in size and specifically delineated on a plat recorded on or before June 4, 1953;
- provided that in addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:
- (1) compliance with the applicable land development regulations;
 - (2) any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan has been conveyed to the public by deed or grant of easement.

Section 3. Zoning as to Permitted Uses and Densities

- 3.01 Town zoning as to permitted uses and densities must be in compliance with or be more restrictive than the requirements of the Land Use Plan. For purposes of this section "more restrictive" means zoning which permits less than all of the uses permitted by the Land Use Plan on a parcel of land, or, for a parcel of land designated residential by the Land Use Plan Map, a lower residential density than permitted by the Land Use Plan.

3.02 Town zoning as to permitted uses and densities shall be in compliance with the Town's Land Use Plan if the following requirements are met:

- a. Each parcel of land within an area which is designated in a residential land use category by the Land Use Plan must be zoned in a zoning district which permits any one or more of the following uses, but not other uses:
 1. Residential dwelling units at a maximum density that does not exceed the maximum gross residential density designated for the parcel of land by the Land Use Plan Map;
 2. Home occupations and other activities and uses accessory to a dwelling unit;
 3. Hotels, motels and lodgings for transients at a maximum density of double the maximum number of dwelling units designated for the parcel of land by the Town's Land Use Plan Map;
 4. Parks and other outdoor recreational facilities and recreational, civic or cultural buildings ancillary to the primary outdoor recreational use of the site;
 5. Community facilities designed to serve the residential area, including, but not limited to, schools, churches, clinics, governmental administration, police and fire protection facilities, libraries and civic centers;
 6. Utilities, including pumping stations and transmission facilities, excluding electrical power plants and landfills;
 7. Streets and transportation corridors;
 8. Offices and/or retail sales of merchandise or services, subject to the review and approval requirements of Policy 13.01.10 and the following limitations and provisions:
 - i. No more than a total of five percent (5%) of the area designated for residential use on the Town's Future Land Use Plan Map within a flexibility zone may be used for neighborhood offices and/or retail sales of merchandise or services.
 - ii. No added contiguous area used for neighborhood offices and or retail sales of merchandise or services may exceed ten acres. Contiguous is defined as: attached; located within 500 feet; or separated only by streets and highways, canals and rivers, or easements. Contiguous as defined in this subsection, is only applicable to this provision.;
 - iii. Regardless of i and ii above, space within residential buildings in areas designated for medium-high (25) residential or high (50) residential

density may be used for offices and or retail sales of merchandise or services, as long as not more than 50% of the floor area is used for said purposes; and

- iv. Regardless of i and ii above, space within residential buildings in areas designated for medium (16) residential density by the Town's Land Use Plan may be used for offices, as long as no more than 50% of the floor area is used for offices.
9. Special Residential Facilities; subject to: meeting one of the Category definitions as contained in the Special Residential Facilities Permitted Uses subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan; meeting density provisions by Category type stated below; and the limitations as expressed by the certified land use plan map; and if applicable, the provisions regarding the use and allocation of reserve units, flexibility units or bonus sleeping rooms as contained in the Administrative Rules Document" of the Broward County Planning Council.

Density Provisions:

- a. Special Residential Facility Category (1) development shall count as one (1) dwelling unit each.
 - b. Special Residential Facility Category (2) development shall count as two (2) dwelling units each.
10. Density Calculation

All references to density within the Town Land Use Plan means gross density. Gross density means the number of dwelling units constructed or proposed within an area, divided by the gross acreage of the area exclusive of the Intracoastal Waterway and the Town's waterways. Gross acreage means the total number of acres in the area, including acreage used or proposed for streets or other proposed land uses permitted in residential areas by the Broward County Land Use Plan.

Calculations of acreage covered by different land use categories on the Future Town Land Use Plan Map (Series) will necessarily be approximate, due to the scale of the map. Where edges of land use categories are close to property lines, streets, transmission lines or other existing lines, edges should be construed to follow these lines.

11. Arrangement of Dwelling Units

Any arrangement of dwelling units on a parcel of land designated for residential use is compatible with the Town Land Use Plan as long as the maximum number of dwelling units permitted within the parcel is not

exceeded. The distribution of units will be determined by Town zoning and land development regulations.

12. Dashed-Line Areas

Selected Developments of Regional Impact, planned unit developments and partially completed large scale developments, are identified on the Town's Future Land Use Plan Map by dashed lines circumscribing their edges. For each of these areas, the maximum overall density in dwelling units per acre is the number which appears in the circle inside the dashed line. That number can be multiplied by the number of acres inside the dashed line, including areas not designated for residential use, to ascertain the maximum number of dwelling units allowable within the dashed line. The dwelling units that are permitted within areas circumscribed by a dashed line may only be applied within the boundaries of the circumscribed area and may not be transferred. Additional dashed-line areas may be designated on the Town's Future Land Use Plan Map through amendments to the plan consistent with the provisions of this section.

13. Flexibility Units

"Flexibility units" mean the difference between the number of dwelling units permitted within a flexibility zone by the Future Broward County Land Use Plan Map (Series) and the number of dwelling units permitted within the flexibility zone by the Town's certified future land use plan map.

Since the certified Town land use plan map may be more restrictive than the Future Broward County Land Use Plan Map (Series), available flexibility units may be utilized by the Town to rearrange residential densities consistent with County Land Use Plan Policies 1.02.02 and 13.01.10.

Rearrangement of residential densities utilizing flexibility units will be administered within "flexibility zones". The boundaries of and rules governing "flexibility zones" and rearrangement of residential densities therein, as referenced in County Land Use Plan Policy 1.02.02, will be established subject to the provisions of County Policy 13.01.10, within the Broward County Planning Council's "Administrative Rules Document: Broward County Land Use Plan".

The maximum number of dwelling units permitted in a flexibility zone by the Town land use plan map shall not exceed the number of dwelling units permitted in the flexibility zone by the Future Broward County Land Use Plan Map (Series). Allocations of Flexibility Units shall be subject to the following restrictions:

(1) Within areas east of the Intracoastal Waterway or west of the “urban infill” area boundary line as designated on the Broward County Land Use Plan as of the effective date of this Policy (November 5, 2004), in no instance shall allocations of Flexibility Units result in a residential density greater than twenty five (25) dwelling units per gross acre for the residentially designated parcel or portion of a non-residentially designated parcel to be developed with residential use, or exceed one hundred percent (100%) of the maximum number of dwelling units indicated for the parcel by the local land use plan map, whichever resulting residential density is less.

(2) Allocations of Flexibility Units for “affordable housing,” special residential facilities, and areas designated “Regional Activity Center” as defined within the Broward County Land Use Plan, regardless of the provisions referenced in 1. and 2. above, shall be exempt from this provision;

(3) This provision shall not apply to the action of the Town whereby Flexibility Units were approved pursuant to the Broward County Land Use Plan and Administrative Rules prior to the effective date of this provision (November 5, 2004).

14. Reserve Units

"Reserve units" mean additional permitted dwelling units equal to two percent (2%) of the total number of dwelling units permitted within a flexibility zone by the Future Broward County Land Use Plan Map (Series). The Town may establish provisions in the Town's land use plan, consistent with County Land Use Plan Policy 1.01.03 and Policy 13.01.01, to allocate residential densities, utilizing reserve units, which exceed those shown on the Town's land use plan map.

Allocation of reserve units will be administered within "flexibility zones" and not require amendment of the certified Town land use plan. The boundaries of and rules governing "flexibility zones" and allocation of reserve units therein, as referenced in Policy 1.02.02, will be established, subject to the provisions of Policy 13.01.10, within the “Administrative Rules Document: Broward County Land Use Plan.”

The number of reserve units in a flexibility zone will be fixed at the adoption of the Future Broward County Land Use Plan Map (Series). Allocations of Reserve Units shall be subject to the following restrictions:

(1) Within areas east of the Intracoastal Waterway or west of the “urban infill” area boundary line as designated on the Broward County Land Use Plan as of the effective date of this Policy (November 5, 2004), in no instance shall allocations of Reserve Units result in a residential density

greater than twenty five (25) dwelling units per gross acre for the residentially designated parcel or portion of a non-residentially designated parcel to be developed with residential use, or exceed one hundred percent (100%) of the maximum number of dwelling units indicated for the parcel by the local land use plan map, whichever resulting residential density is less.

(2) Allocations of Reserve Units for “affordable housing,” special residential facilities, and areas designated “Regional Activity Center” as defined within the Broward County Land Use Plan, regardless of the provisions referenced in 1. and 2. above, shall be exempt from this provision;

(3) This provision shall not apply to the action of the Town whereby Reserve Units were approved pursuant to the Broward County Land Use Plan and Administrative Rules prior to the effective date of this provision.

- b. Each parcel of land within an area designated in a commercial land use category by the Town's Land Use Plan Map must be zoned in a zoning district which permits any one or more of the following uses, but no other uses:
 - 1. Retail uses;
 - 2. Office and business uses;
 - 3. Hotels, motels and other tourist accommodations;
 - 4. Parks and recreation areas;
 - 5. Community facilities;
 - 6. Utilities including pumping stations and transmission facilities, excluding electrical power plants and landfills;
 - 7. Residential uses are permitted in the same structure as a commercial use provided that the Town applies flexibility or reserve units to the parcel and:
 - a.) The residential floor area of mixed commercial/residential structures does not exceed 50% of the total floor area of the building; and/or
 - b.) The first floor of mixed commercial/residential structures is totally confined to commercial uses and/or
 - c.) For parcels 5 acres in size or less, free standing multi-family residential uses are permitted; within areas designated on the County Plan as Urban Infill, Urban Redevelopment or Downtown Revitalization Areas or Chapter 163 Redevelopment Areas, free

standing multi-family residential uses are permitted on parcels 10 acres in size or less; and/or

- d.) For mixed commercial/residential developments greater than 5 acres in size (or 10 acres within areas designated on the County Plan as Urban Infill, Urban Redevelopment or Downtown Revitalization Areas or Chapter 163 Redevelopment Areas) free standing multi-family residential uses are permitted provided that the gross residential acreage does not exceed 5 acres (10 acres within areas designated on the County Plan as Urban Infill, Urban Redevelopment or Downtown Revitalization Areas or Chapter 163 Redevelopment Areas) or 40% of the total gross acreage of the commercially designated parcel, whichever is greater, and that the entire mixed commercial/residential development be governed by specific zoning regulations that establish criteria to ensure proper integration and compatibility of land uses within and surrounding the development; and/or
 - e.) Residential units within the same structure as commercial uses for the owner, manager or caretaker of the commercial uses may be located in areas designated commercial without the application of flexibility units or reserve units.
- c. Each parcel of land within an area designated in a community facility category by the Town's Land Use Plan Map must be zoned in a zoning district which permits one or more of the following uses:
- 1. Community facilities, including schools, churches, hospitals, governmental administration, police and fire stations, libraries, civic centers, courts, nursing homes and park and recreation facilities.
 - a.) Special Residential Facility Category (2) development as defined in the "Definitions" subsection of the Plan implementation Requirements section of the Broward County Land Use Plan; subject to the allocation of two (2) reserve or flexibility units in accordance with the Special Residential Facilities provisions and policies for application of these units as contained in the "Administrative Rules Document: Broward County Land Use Plan."
 - b.) Special Residential Facility Category (3) development as defined in the "Definitions" subsection of the Plan Implementation Requirements section of the Broward County Land Use Plan; subject to the allocation of reserve units or flexibility units in accordance with the Special Residential Facilities provisions and policies for application of these units as explained in the "Administrative Rules Document: Broward County Land Use Plan"; each flexibility or reserve unit shall permit two (2) sleeping rooms regardless of the number of kitchens or baths.

- d. Each parcel of land within an area designated in a recreation & open space land use category by the Town's Land Use Plan Map must be zoned in an open space or park and recreation zoning districts which permits one or more of the following uses, but no other uses:
 - 1. Passive recreational uses, including, but not limited to: nature centers and trails, scenic areas, wildlife sanctuaries and feeding stations, aquatic preserves, and picnic areas.
 - 2. Active recreational uses, including, but not limited to: tennis courts, playgrounds, swimming pools, athletic fields and courts, beaches and bikeways.
 - 3. Civic and cultural buildings may be permitted if they are ancillary to the primary recreation use of the site.
 - 4. Concessions only when accessory to the above uses. Examples of such concessions are refreshment stands, pro shops, souvenir shops and rental facilities.
 - 5. Boat ramps and docks.
- e. Special Residential Facilities development includes group homes and foster care facilities as defined by category type below and the limitations as expressed by the certified land use plan map; and if applicable, the provisions regarding the use and allocation of reserve units, flexibility units or bonus sleeping rooms as contained in the "Administrative Rules Document" of the Broward County Planning Council. In order to facilitate implementation of this section, the Town may permit a maximum of one hundred (100) "bonus" sleeping rooms, consistent with Broward County Ordinance 85-92, that are permanently dedicated to Special Residential use without allocating density.

Special residential facilities are not specifically designated on the Future Land Use Plan Map as a separate land use category.

Definitions of Special Residential Facilities Categories:

Special Residential Facility, Category (1) - means a housing facility which is licensed by the State of Florida for no more than eight (8) individuals who require treatment, care, rehabilitation or education. The facility is usually referred to as a group home. This includes individuals who are elderly, dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others. The facility provides a family living environment including supervision and care necessary to meet the physical, emotional and social needs of the individuals. It may or may not

provide education or training. There may be more than one kitchen within the housing facility. There may be more than one Special Residential Facility Category (1) on a parcel.

Special Residential Facility, Category (2) - means a housing facility which is licensed by the State of Florida for nine (9) to sixteen (16) non-elderly individuals who require treatment, care, rehabilitation or education. The facility is usually referred to as a group home. This includes individuals who are dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others. The facility provides a family living environment including supervision and care necessary to meet the physical, emotional and social needs of the individuals. It may or may not provide education or training. There may be more than one kitchen within the housing facility. There may be more than one Special Residential Facility Category (2) on a parcel.

Special Residential Facility, Category (3) means

(a) Any housing facility licensed by the State of Florida for more than sixteen (16) non-elderly individuals who require treatment, care, rehabilitation or education. This includes individuals who are dependent children, physically disabled, developmentally disabled or individuals not overtly of harm to themselves or others; or

(b) Any housing facility licensed by the State of Florida for more than eight (8) unrelated elderly individuals; or

(c) Governmentally subsidized housing facilities entirely devoted to care of the elderly, dependent children, the physically handicapped, developmentally disabled or individuals not overtly of harm to themselves or others; or

(d) Any not-for-profit housing facility for unrelated elderly individuals; or

(e) Any housing facility which provides a life-care environment. A life-care environment shall include, but is not limited to, creation of a life estate in the facility itself and provision of off-site or on-site medical care.

- f. Each parcel of land within an area designated in a water land use category by the Town Land Use Plan Map can be zoned in any zoning district. No residential units or non-residential development can be located on areas designated water. Water acreage can not be used in determining the number of residential units or the amount of other development which can be located on land adjacent to water.

- g. The Town will provide, consistent with Policy 3.3.1, the standard of three (3) acres of public or private land for neighborhood, community, and urban parks and recreational facilities for each one thousand residents, consistent with the Broward County Land Use Plan.

Section 4. Development Review Requirements

- 4.01 Following the effective date of the Land Use Plan, the Town shall not grant a development permit for a proposed development unless the Town has determined that public facilities are adequate to serve the needs of the proposed development or unless the developer agrees in writing that no certificate of occupancy shall be issued for the proposed development until public facilities are adequate to serve its needs.
- 4.02 Public facilities may be determined to be adequate to serve the needs of a proposed development when the following conditions are met:
 - a. Traffic circulation, drainage and flood protection, potable water, solid waste and sanitary sewer public facilities and services will be available to meet established level of service standards, consistent with Chapter 163.3202(g) Florida Statutes and the concurrence management policies included within this Plan.
 - b. Local streets and roads will provide safe, adequate access between buildings within the proposed development and the trafficways identified on the Broward County Trafficways Plan prior to occupancy.
 - c. Fire protection service will be adequate to protect people and property in the proposed development.
 - d. Police protection will be adequate to protect people and property in the proposed development.
 - e. School sites and school buildings will be adequate to serve the proposed development.
 - f. Development does not include a structure, or alteration thereof, that is subject to the notice requirements of Federal Aviation Regulations (FAR), Part 77, Subpart B, unless the Federal Aviation Administration issues, or has issued within the previous ninety (90) days, a written acknowledgement that said structure or alteration would not constitute a hazard to air navigation and does not require increases to minimum instrument flight altitudes within a terminal area, increases to minimum obstruction clearance altitudes, or other operational modifications at any existing airport or heliport or any planned or proposed airport as described in FAR Part 77.21(c)(2).

Section 5. Reporting Requirements

- 5.01 Following the effective date of the Land Use Plan, no land development regulation, land development code, or amendment thereto shall be adopted by the Town Commission until such regulation, code or amendment has been referred to the Town's local planning agency for review and recommendation as to the relationship of such proposal to the Land Use Plan.
- a. A monthly report of all new or amended land development regulations or a new or amended land development code, including changes in zoning districts;
 - b. A monthly summary of all building permits;
 - c. A monthly summary of all permits issued for demolition of buildings; and
 - d. A monthly summary of all certificates of occupancy.
 - e. A yearly summary regarding allocation of acreage proposed for commercial uses within lands designated residential, industrial and employment center utilizing the "5% Residential Land Use" and "20% Industrial/Employment Center Land Use" flexibility provisions of the Broward County Land Use Plan as described within the Permitted Uses subsection of this Plan, if certified within the Town Land Use Plan.
- 5.02 In any legal action in which the validity of the Land Use Plan or a portion thereof is in issue, the Town shall notify the County Commission and provide copies of all papers in connection therewith.

Section 6. Amendments

- 6.01 Land Use Plan.
- a. The Town shall submit to the Planning Council for certification all proposed amendments to the Land Use Plan. A proposed amendment to the Land Use Plan must be certified by the Planning Council prior to adoption by the Town.
 - b. All amendments to the Land Use Plan shall be adopted in the manner prescribed by the Planning Act and other applicable provisions of law.
- 6.02 County Land Use Plan. Any person may request the Town to submit to the Planning Council a proposal for an amendment to the County Land Use Plan. The Town shall submit such a proposal in writing to the Planning Council and shall include the Town's recommendation regarding the proposal and the reasons therefore.

V. Natural Resource Map Series

The Town of Lauderdale-By-The-Sea is almost totally developed. Except for the beach area and off-shore marine resources in the Atlantic Ocean, there are no natural resources within the Town. There are no tracts of natural vegetation, wetlands or natural marine habitats in the Town.

The Comprehensive Plan must include natural resources on either the Future Land Use Map or in a Map Series. This section of the Plan is the Natural Resource Map Series. There are no "existing or planned waterwells and cones of influence" within the Town.

The Town's beach along the Atlantic Ocean is approximately two miles long. The Intracoastal Waterway runs the entire length of the Town. This body of water is a man-made channel and for this reason there are no estuaries in the Town. The Intracoastal Waterway connects to the Town canal system at six locations. There are no natural rivers, bays, harbors or lakes in the Town.

The Town's beach and off-shore coral reefs provide natural habitat, tourism destinations and protection from storms. These marine resources include endangered sea turtles and manatees. Coral reefs and their associated sea life are important natural resources for recreational fishing and diving industries in Broward County. Figure 2 depicts the beach area and off-shore marine resources, the S. S. Copenhagen Shipwreck, the Intracoastal Waterway and the six waterways which connect to the Intracoastal Waterway. The State of Florida has designated the S.S. Copenhagen Shipwreck as an underwater Archaeological Preserve.

According to the Federal Emergency Management Agency (FEMA), a portion of the Town has topographic elevations that would be subject to a 100 year flood. This area is primarily located in the southwestern portion of the Town. Figure 3 highlights the FEMA Flood zones within the Town.

The majority of the Town's soils are those associated with man's alteration of soils to support development. The soils classifications within the Town are shown in Figure 4.

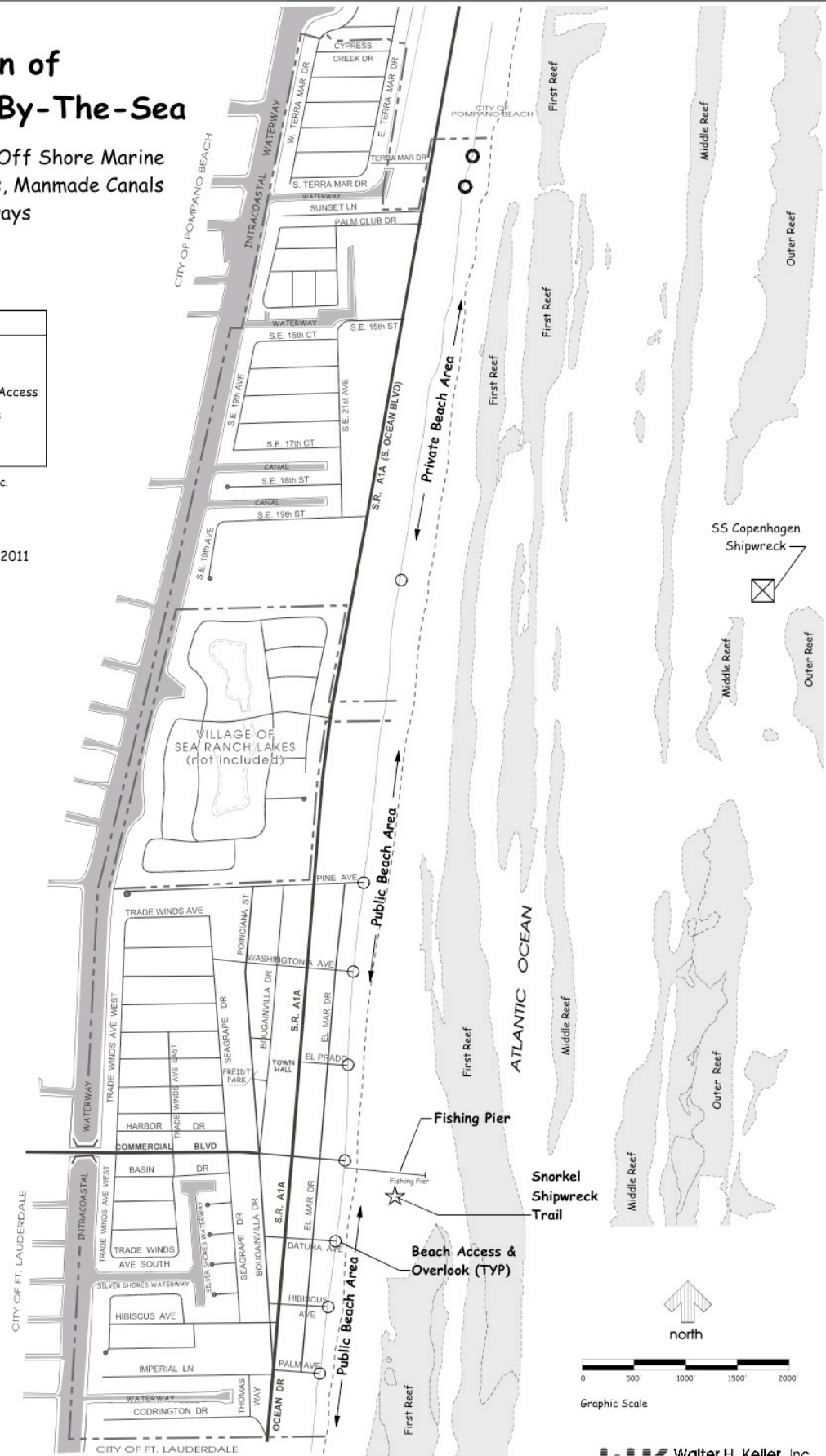
Town of Lauderdale-By-The-Sea

Figure 2 - Beaches, Off Shore Marine Resources, Manmade Canals & Waterways

LEGEND	
	- Town Limit
	- Public Beach Access
	- Major Private
	- Reef

Source: Walter H. Keller, Inc.
Broward County

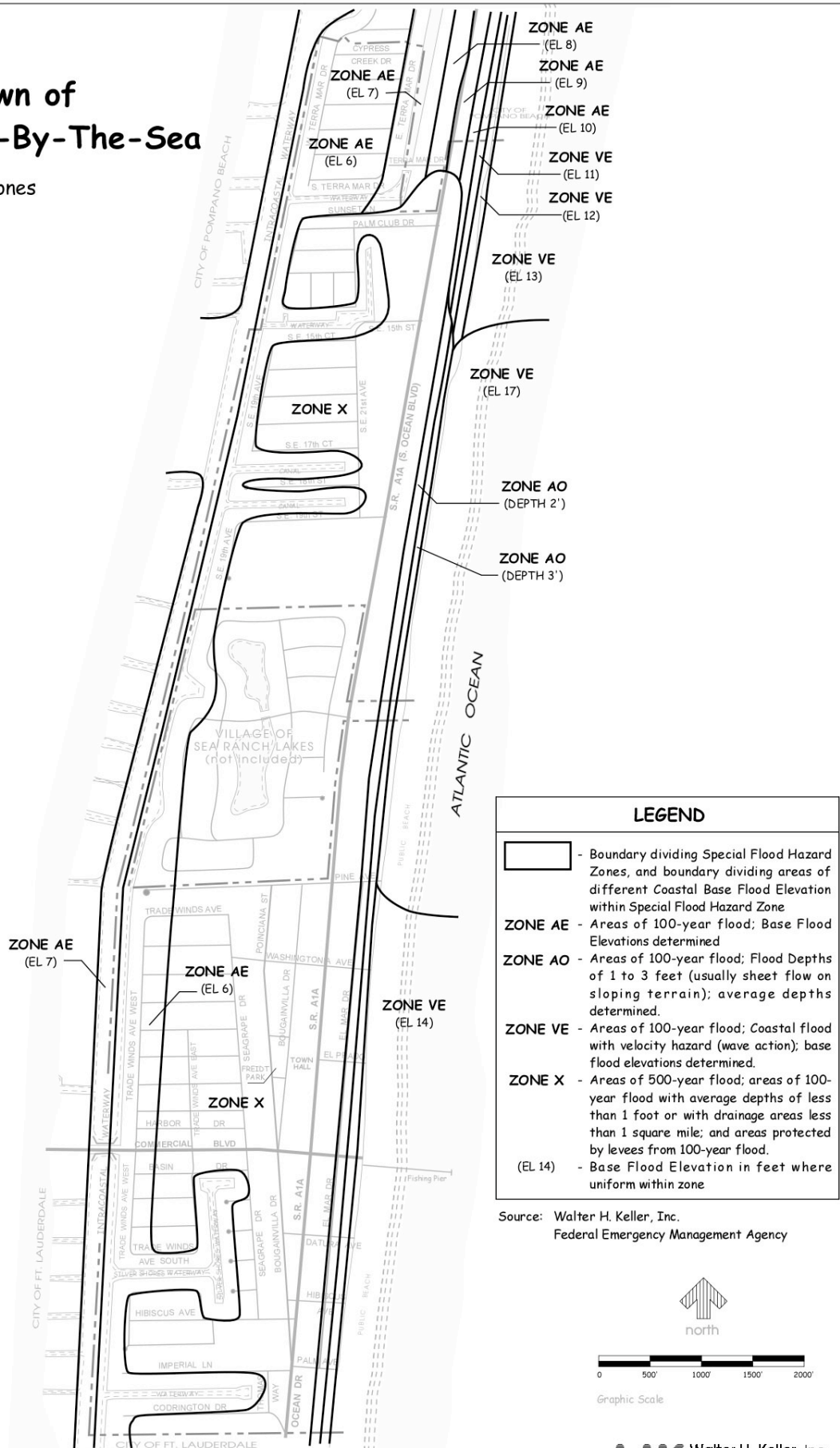
Figure Revised 03/2011



WK Walter H. Keller, Inc.
Consulting Engineers & Planners
Coral Springs • Seewall's Point

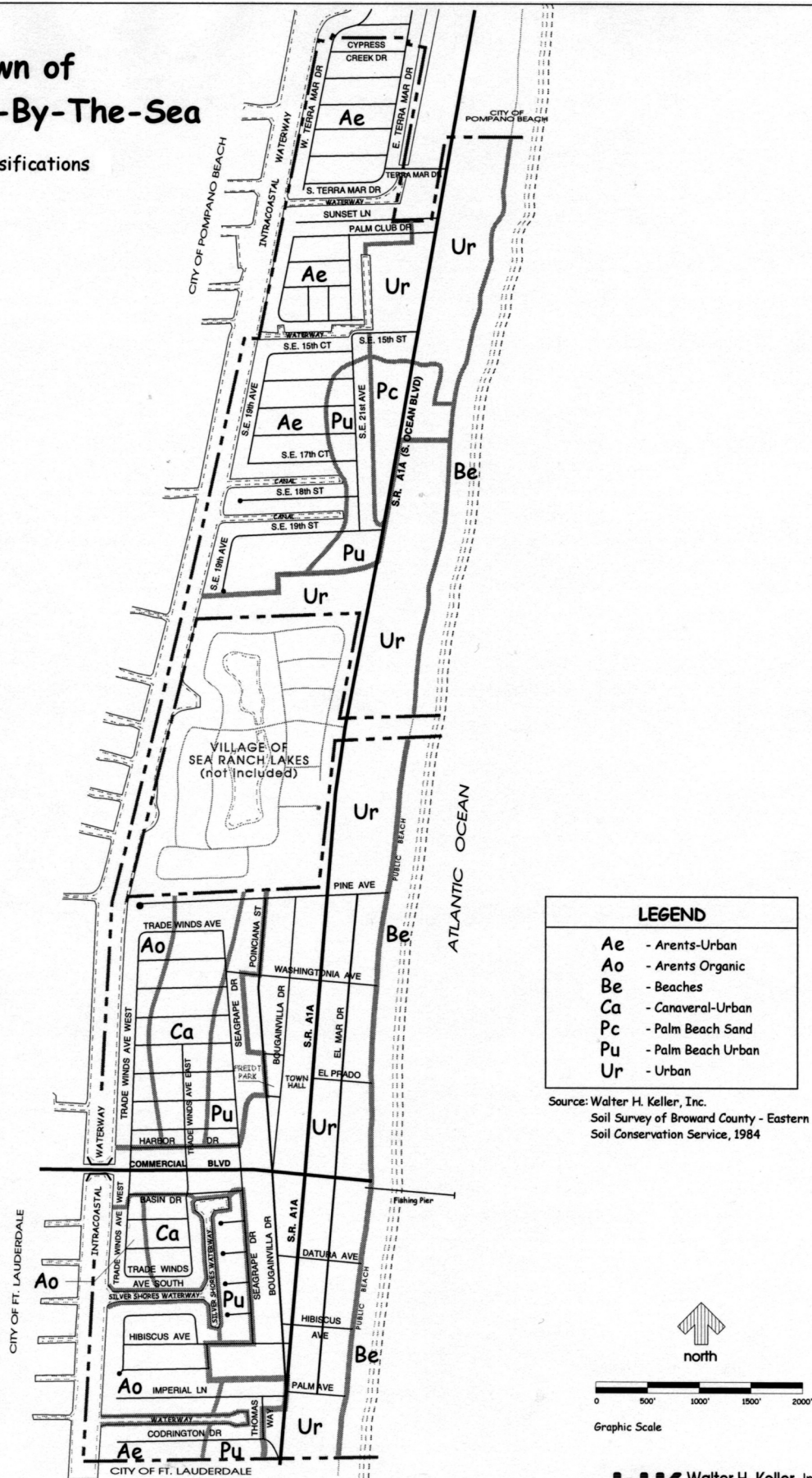
Town of Lauderdale-By-The-Sea

Figure 3 - Flood Zones



Town of Lauderdale-By-The-Sea

Figure 4 - Soil Classifications



VI. Future Transportation Map

The Future Transportation Map has been developed to be consistent with the Broward County MPO Year 2030 Long Range Transportation Plan (LRTP). The Map, see Figure 5, provides for multi-modal transportation needs with roadways, transit service, bike lanes/routes and pedestrian/sidewalk facilities. With the recent completion of the Florida Department of Transportation (FDOT) Commercial Boulevard and SR A1A improvements within the southern portion of the Town and the adoption of the MPO 2030 LRTP, the future one way pairing of SR A1A and Bouganvilla Drive has been removed.

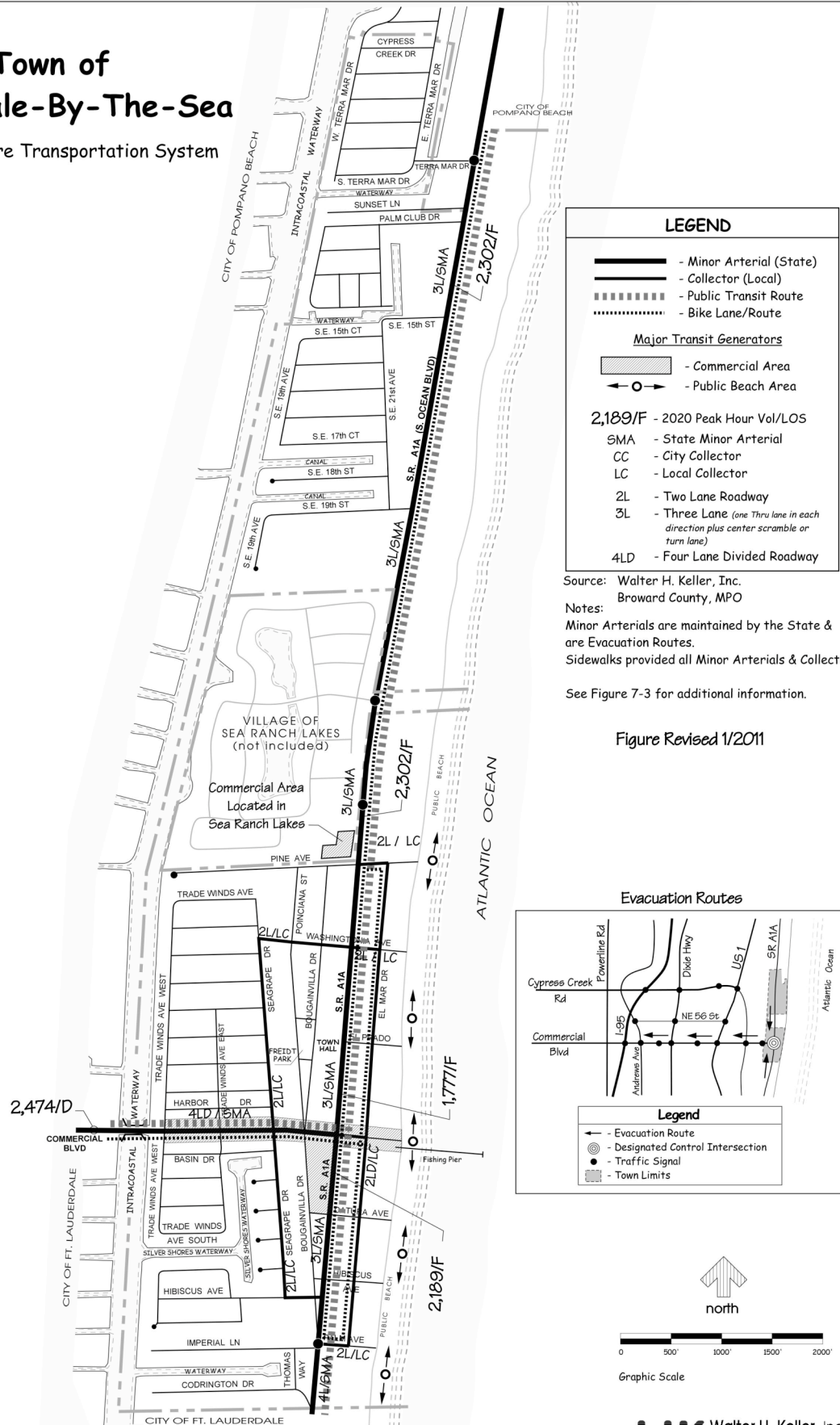
The FDOT improvement in the southern portion of the Town totally reconstructed the roadway to a three (3) lane section consistent with the desires of the Town on the existing SR A1A alignment within the fifty foot right-of-way. FDOT is also reconstructing SR A1A in the northern portion of the Town as a three (3) lane section. The Town will initiate an amendment of the Broward Trafficways Plan to remove the SR A1A one-way pairing.

The SR A1A Trail extending through the Town on SR A1A right of way is identified by Broward County as a potential Greenway including a multi-purpose path, bikelanes and sidewalks. The Future Transportation Map provides for Commercial Boulevard to remain as a four (4) lane divided roadway. This section was also reconstructed by the FDOT with improved pedestrian features, new traffic signals, street lights, pavers and landscaping.

Multi-modal transportation features such as public transit routes, bike lanes/routes, roadway/pedestrian signals, pedestrian amenities and sidewalks are provided for SR A1A and Commercial Boulevard. Other transportation facilities such as community bus routes, tri-rail shuttles, alternate fuel buses, the water taxi, transit greenways, multi-modal station(s) and off-street parking facilities are incorporated into the Map.

Town of Lauderdale-By-The-Sea

Figure 5 - Future Transportation System



VII. Capital Improvements Implementation

Capital Improvements Implementation

The Town of Lauderdale-By-The-Sea is currently using a variety of financing strategies to implement local capital improvements. Historical financing efforts have included direct expenditures of local tax revenue, long term revenue and general obligation bonding, and special assessments. All of these financing mechanisms are reasonable methods to be considered in the development of funding strategies for future capital improvements.

The Town has implemented an aggressive program relative to revitalizing the Town using grants, loans, user fees, assessments and ad valorem taxes. Table 1 below provides projected revenues for FY 2010/2011 through FY 2014/2015 from the approved 2010/2011 budget. The proposed five year Capital Improvement Program is given in Table 2. In this respect, the listing of capital improvements in Table 2 is considered feasible in 2010 within the five year period based on current revenue projections. As indicated in Tables 1 and 2, general funds, grants, interest earnings and fund transfers will be utilized. Additional information on the funding source can be found in the Support Document. Due to reductions in revenues, adjustments have been made in the Capital Improvement to ensure the program is financially feasible.

None of the Capital Improvement Projects impact the Town's Level of Service.

Table 1 - Projected Revenues: FY 2010/11 – 2014/15

Year	Total Fund from Balance	Revenues			Transfers General Fund	Total Resources
		Interest Earnings	Assmnts/ Grants	Total		
FY 2011	135,325	24,000	505,400	529,400	1,150,000	1,814,725
FY 2012	417,500	6,000	300,000	306,000	1,150,000	1,873,500
FY 2013	1,403,000		300,000	300,000	1,150,000	2,853,000
FY 2014	309,600		300,000	300,000	1,150,000	1,759,600
FY 2014	600,000		300,000	300,000	1,150,000	2,050,000

Source: Town of Lauderdale-By-The-Sea

Table 2 Proposed 5 Year Capital Improvement Program

Capital Projects	FY 2011 Year 1	FY 2012 Year 2	FY 2013 Year 3	FY 2014 Year 4	FY 2014 Year 5
Beach - Coral Reef Project (Artificial Reef)	27,000				
Beach Renourishment - Cost Sharing			200,000		
Bridge Repair Terra Mar					155,000
Street Resurfacing				200,000	200,000
Streetscape - A1A (Pines north to Town Limits)	684,900				
Streetscape - El Mar Construction			875,000		
Streetscape - El Mar Design & Permitting	25,000				
Stormwater Master Plan Projects	720,500	1,138,500	731,000	300,000	300,000
Traffic Improvement & Calming	15,000	15,000	15,000	15,000	15,000
Traffic Improvement Program (NC)	30,000	30,000	30,000	30,000	30,000
Parking System Improvements	25,000	25,000	25,000	25,000	25,000
Project to be Determined		400,000	400,000	600,000	600,000
Total Projects	1,527,400	1,608,500	2,276,000	1,170,000	1,325,000

Source: Town of Lauderdale-By-The-Sea

Level of Services

The minimum criteria for Comprehensive Plans requires that Level of Service Standards be included for public facilities described in the plan. The Level of Service Standards for the Town are provided in Table 3. Subsequent to the adoption of the Town's Plan, all future development approvals will be conditioned upon the provision of services at the local level of service standards.

Table 3 Level of Service Standards

Public Facility Category	Local Standard
Sanitary Sewer	225 gpcpd
Potable Water - Consumption	230 gpcpd FL WSA 191 gpcpd PB WSA
Potable Water - Fire Flow	As Required
Solid Waste	7.1 lpcpd
Drainage - Roadway	10 Yr - 3 day
Drainage - Floor Elev.	100 Yr - 3 day
Arterial Roadways	Adopt Broward County Transportation Concurrency Management System For the Northeast & Central Concurrency Districts (see Policies 4.2.1 and 4.2.2 for detail)
I-95	LOS "E"
Town Collector Roadways	LOS "C" - PSPH
Park and Recreation	3 acres/1000 Residents
Public Schools	100% Gross FISH for each CSA-* 110% Permanent FISH for each CSA-**

Source: Walter H. Keller, Inc.

Note: GPCPD - Gallons per capita per day
 LPCPD - Lbs per capita per day
 PSPH – Peak Season Peak Hour Traffic
 FL WSA – Fort Lauderdale Water Service Area
 PB WSA – Pompano Beach Water Service Area
 FISH – Florida Inventory of School Housing
 * - Until the end of the 2018/19 School Year
 ** - Until the end of the 2019/20 School Year

Monitoring and Evaluation

Along with level of service standards, the minimum criteria for Comprehensive Plans requires that procedures for the monitoring and evaluation of necessary and/or desirable capital improvements be clearly identified. In this respect, the Capital Improvements Element will be reviewed on an annual basis to assess projected revenues, to modify and otherwise update data with regard to listed improvements, and to provide for the inclusion of additional “fifth year” capital improvement projects.

The annual review of the Element will be the joint responsibility of the Town Manager and or his designee(s). A summary report will be prepared to identify the findings and modifications necessary as a result of this effort. The report will be presented to the Town Commission during a public meeting to occur at the approximate time of annual budget deliberation. The Town Commission will direct Town Manager to take the appropriate action as deemed necessary based upon the findings and recommendations contained in the annual summary report. The following minimum activities will be necessary to perform the review:

Modifications necessary to the estimated date, costs and scope of specific projects currently listed in the Element. The inclusion of new priority projects due to unanticipated conditions and the respective modification to other, already listed projects; justification of new projects to be provided.

The inclusion of additional “fifth year” capital improvement projects based on project priority and justification.

Project priority ranking criteria as refined and/or otherwise modified from that presently contained in the Capital Improvements Element.

An assessment of the Capital Improvements Element and project listing in terms of its effectiveness of carrying out the goals, objectives and policies of the Comprehensive Plan.

The Town's ability to maintain the adopted level of service standards and to eliminate existing deficiencies or problem conditions.

VIII. Monitoring and Evaluation

As part of the continuing phase of comprehensive planning, the Town will develop procedures for monitoring, updating and evaluating the progress of the Comprehensive Plan. While certain Elements have specifically referenced monitoring and reporting activities (see Land Use Implementation page 34 and Capital Improvements page 49), the purpose of this section of the Comprehensive Plan is to ensure that the Plan remains timely and current.

Because the Town is almost totally developed, it is expected that the required Evaluation and Appraisal Report will be issued every seven (7) years. On an annual basis, the reporting requirements provided to the Broward County Planning Council on development approvals and the annual assessment of Capital Improvements will be performed.

Every seven (7) years, or sooner if conditions dictate, the Town will prepare an Evaluation and Appraisal of the Comprehensive Plan. This written report will assess the following items:

- Citizen Participation in the planning process

- Need and/or requirements for updating baseline data in the Comprehensive Plan supporting documentation.

- Update, if necessary, of short and long term Plan objectives.

- Accomplishments or progress made in implementation of the Plan's goals, objectives and policies.

- Unanticipated problems or obstacles which have hindered implementation of the Plan's goals, objectives and policies.

- Reformulated goals, objectives and policies for the Comprehensive Plan.

Because Success Doesn't Just Happen...



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